

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

ORIGINAL
77-7103
77-7115

United States Court of Appeals

For the Second Circuit

CANDACE VAN ALLEN,

Plaintiff-Appellant-Appellee,

—against—

DOMINICK & DOMINICK, INCORPORATED and
PAUL deGIVE,

Defendants-Appellees-Appellants.

JOINT APPENDIX

VOLUME IV — EXHIBITS

Pages A-832 — A-1057

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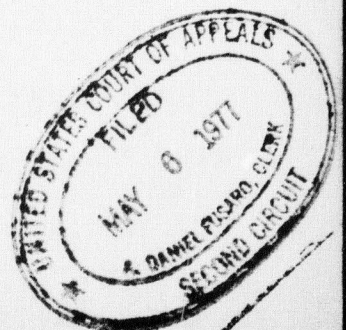


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PLAINTIFF'S EXHIBIT 1

Copies of NYSE Rules 342, 405 and 408, in effect during the period covered by the complaint, and NYSE Educational Circular No. 252, dated December 20, 1968

(Pages A-833 to A-840 following)

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Offices and Employees

(Rules and Policies Administered by the
Department of Member Firms.)

§ 2341 Addresses of Members

Rule 341. Every member shall register with the Secretary of the Exchange an address and subsequent changes thereof where notices may be served. The registered address of every member who personally transacts business on the Floor must be in the vicinity of the Exchange.

§ 2342 Offices—Approval, Supervision and Control

Rule 342. (a) Each office, department or business activity of a member or member organization (including foreign incorporated branch offices) shall be under the supervision and control of the member or member organization establishing it and of the personnel delegated such authority and responsibility.

The person in charge of a group of employees shall reasonably discharge his duties and obligations in connection with supervision and control of the activities of those employees related to the business of their employer and compliance with securities laws and regulations.

(b) The general partners or voting stockholders of each member organization shall provide for appropriate supervisory control and shall designate from among their own number a person or group of persons to assume overall authority and responsibility for internal supervision and control of the organization and compliance with securities laws and regulations. This person or group shall:

(1) delegate to qualified principals or employees responsibility and authority for supervision and control of each office, department or business activity, and provide for appropriate procedures of supervision and control.

(2) establish a separate system of follow-up and review to determine that the delegated authority and responsibility is being properly exercised.

(c) The prior consent of the Exchange shall be obtained for each office established by a member or member organization, other than a main office.

(d) Qualified persons acceptable to the Exchange shall be in charge of:

(1) any office of a member or member organization,

(2) any regional or other group of offices,

(3) any other organizational group of registered representatives.

(e) The amounts and types of credit extended by a member organization shall be supervised by members or allied members qualified by experience for such control in the types of business in which the member organization extends credit.

Amendment

April 16, 1935

• • • **Supplementary Material:**

.10 **Annual fee.**—Each office of a member organization or corporate affiliate, other than the main office of the member organization, shall be subject

New York Stock Exchange Guide

Rule 342 § 2342.10

3700

Rules of Board—Conduct of Accounts
 — Administered by Department of Member Firms.

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§ 2402.80—Continued

In the event there is any call, in part, of such bonds not so identified, the member organization shall not allocate any such called bonds to any account in which it or its partners or stockholders have an interest until all customers' positions in such bonds have been satisfied.

Amended.
 December 19, 1968.

.90 Approval.—Any proposed system devised by a member organization for the segregation of customers' securities in bulk which does not follow the exact procedure above described should be presented to the Department of Member Firms for approval.

§ 2403 Bucket Shops, etc.

Rule 403. No member, allied member, or member organization shall be directly or indirectly interested in or associated in business with, or have his or its office directly or indirectly connected by public or private wire or other method or contrivance with, or transact any business directly or indirectly with or for:

- (1) Any bucket-shop; or
- (2) any organization, firm or individual making a practice of dealing on differences in market quotations; or
- (3) any organization, firm or individual engaged in purchasing or selling securities for customers and making a practice of taking the side of the market opposite to the side taken by customers.

(See § 2358.13 *re Private Wires.*)

§ 2404 Individual Members Not to Carry Accounts

Rule 404. No member, doing business as an individual, shall carry accounts for customers, except as provided in Rule 316 [§ 2316].

§ 2405 Diligence as to Accounts

Rule 405. Every member organization is required through a general partner or an officer who is a holder of voting stock to

- (1) Use due diligence to learn the essential facts relative to every customer, every order, every cash or margin account accepted or carried by such organization and every person holding power of attorney over any account accepted or carried by such organization.

Supervision of Accounts

- (2) Supervise diligently all accounts handled by registered representatives of the organization.

Approval of Accounts

- (3) Specifically approve the opening of an account prior to or promptly after the completion of any transaction for the account of or with a customer, provided, however, that in the case of branch offices, the opening of an account for a customer may be approved by the manager of such branch office but the action of such branch office manager shall

§ 2403 Rule 403

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within a reasonable time be approved by a general partner or an officer who is a holder of voting stock in the organization. The member, general partner or officer approving the opening of the account shall, prior to giving his approval, be personally informed as to the essential facts relative to the customer and to the nature of the proposed account and shall indicate his approval in writing on a document which is a part of the permanent records of his office or organization.

• • • **Supplementary Material:**

.10 Application of Rule 405(1) and (3) [¶ 2405].—In the case of a margin account carried by a member organization for a non-member corporation, definite knowledge should be had to the effect that the non-member corporation has the right under its charter and by-laws to engage in margin transactions for its own account and that the persons from whom orders and instructions are accepted have been duly authorized by the corporation to act on its behalf. It is advisable in each such case for the carrying organization to have in its possession a copy of the corporate Charter, By-laws and authorizations. Where it is not possible to obtain such documents, a member or allied member in the member organization carrying the account should prepare and sign a memorandum for its files indicating the basis upon which he believes that the corporation may properly engage in margin transactions and that the person, acting for the corporation have been duly authorized to do so.

In the case of a cash account carried for a non-member corporation, the carrying member organization should assure itself through a general partner or an officer who is a holder of voting stock that persons entering orders and issuing instructions with respect to the account do so upon the proper authority.

When an agency account is carried by a member organization its files should contain the name of the principal for whom the agent is acting and written evidence of the agent's authority.

When Estate and Trustee accounts are involved a member organization should obtain counsel's advice as to the documents which should be obtained.

In the case of accounts which are introduced by one member or member organization to another and are carried on a disclosed basis, the introducer will not be held to any responsibility under Rule 405(1) and (3) [¶ 2405] when the essential facts concerning a particular customer are obtained directly by the clearing organization and the opening of the account is approved by a member or allied member in the clearing organization "prior to or promptly after the completion of any brokerage transaction" and that is the understanding between the two.

As an alternative method of handling the investigation and approval of such accounts the clearing organization may treat the introducing organization, for the purposes of Rule 405(1) and (3) [¶ 2405], as though it were its branch office. Under these circumstances, the introducer will learn the essential facts with respect to each customer, and a general partner or an officer who is a holder of voting stock in the introducing organization will give an approval for the opening of the account. The information obtained must subsequently be passed upon by a member or allied member in the clearing organization and any further inquiry which the clearing organization might feel is desirable should be made. However, the mere fact that the account is being introduced by another member, or member organization is not sufficient information to permit a member or allied member in the carrying organization to approve the opening of the account.

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Rules of Board—Conduct of Accounts
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• • • **Supplementary Material:**

10 Employees of Exchange.—An employee of the Exchange or any of its affiliated companies who wishes to open a securities or commodities account should apply for permission from the Secretary of the Exchange. A form of application can be obtained in the Office of the Secretary.

20 Application of Rule 407(3).—Rule 407(3) applies to all employees of insurance companies without regard to whether they are compensated on a salary or commission basis. However, it is not considered applicable to independent insurance agents.

For the purpose of Rule 407(3), a person who is clearly designated by the Charter or By-Laws of a bank, trust company, insurance company, etc., as an officer of such institution is not considered an "employee".

§ 2408 Employees' Discretion as to Customers' Accounts

Rule 408. (a) No member, allied member or employee of a member organization shall exercise any discretionary power in any customer's account or accept orders for an account from a person other than the customer without first obtaining the written authorization of the customer.

Where a member, allied member, or employee of a member organization exercises discretionary power in a customer's account, each discretionary order shall be approved and initialed on the day entered by a member, allied member or manager designated with written authority by a member or allied member to do so. Every order entered on a discretionary basis by a member, allied member or employee of a member organization must be identified as discretionary on the order at the time of entry. Such discretionary accounts shall receive frequent appropriate supervisory reviews by a member or allied member who is not exercising the discretionary authority.

(b) No member or allied member or employee of a member organization exercising discretionary power in any customer's account shall (and no member organization shall permit any member, allied member, or employee thereof exercising discretionary power in any customer's account to) effect purchases or sales of securities which are excessive in size or frequency in view of the financial resources of such customer.

(c) The provisions of this rule shall not apply to discretion as to the price at which or the time when an order given by a customer for the purchase or sale of a definite amount of a specified security shall be executed.

Amendment.

December 19, 1968.

• • • **Supplementary Material:**

10 Discretionary powers.—(Also see Rules 342.16, 405(2), 405.10, 409 [§ 2342.16, 2405, 2405.10, 2409].)

The exercise of discretion by a husband or wife in the account of his or her spouse shall not be permitted without first obtaining the written authorization of the spouse.

Discretionary authority running to a member, allied member or an employee of a member organization, or to a third party shall be in a form approved by counsel. In unusual situations, counsel's advice should be obtained as to whether an informal letter from the customer might be satisfactory.

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• • • **Supplementary Material:**

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(b) No member or allied member or employee of a member organization exercising discretionary power in any customer's account shall (and no member organization shall permit any member, allied member, or employee thereof exercising discretionary power in any customer's account to) effect purchases or sales of securities which are excessive in size or frequency in view of the financial resources of such customer.

(c) The provisions of this rule shall not apply to discretion as to the price at which or the time when an order given by a customer for the purchase or sale of a definite amount of a specified security shall be executed.

Amendment.

December 19, 1968.

• • • **Supplementary Material:**

10 Discretionary powers.—(Also see Rules 342.16, 405(2), 405.10, 409 [§ 2342.16, 2405, 2405.10, 2409].)

The exercise of discretion by a husband or wife in the account of his or her spouse shall not be permitted without first obtaining the written authorization of the spouse.

Discretionary authority running to a member, allied member or an employee of a member organization, or to a third party shall be in a form approved by counsel. In unusual situations, counsel's advice should be obtained as to whether an informal letter from the customer might be satisfactory.

New York Stock Exchange Guide

Rule 408 § 2408.10

Lists of discretionary accounts shall be maintained at order or account control and review points.

When a discretionary power is held by a member, allied member, or an employee of the member organization, the member organization shall at least annually inquire of the customer in writing as to his interest in continuing such discretionary authority.

The approval and initialing of discretionary orders shall be performed by a member, allied member or specifically delegated employee other than the one exercising the discretion.

§ 2409 Statements of Accounts to Customers

Rule 409. (a) Except with the permission of the Exchange, member organizations shall send to their customers statements of account showing security and money positions and entries at least quarterly to all accounts having an entry, money or security position during the preceding quarter. (See also SEC Rule 15c3-2 concerning quarterly notices of free credit balances on statements.)

(b) No member organization shall address confirmations, statements or other communications to a non-member customer

(1) in care of a person holding power of attorney over the customer's account unless either (A) the customer has instructed the member organization in writing to send such confirmations, statements or other communications in care of such person, or (B) duplicate copies are sent to the customer at some other address designated in writing by him; or

(2) at the address of any member, member organization, or in care of a partner, stockholder or employee of any member organization.

The Exchange may upon written request therefor waive these requirements.

(c) Customers' confirmations shall bear a notation or legend which will enable the customer to determine the amount of any odd-lot differential.

(d) Each customer's statement or a separate notice enclosed with such statement shall disclose the rate of interest and the amount of interest charge as shown on such statement.

Amendment.

October 15, 1964, effective January 1, 1965; June 16, 1966; July 20, 1967.

• • • Supplementary Material:

.10 Exceptions to Rule 409(b) [§ 2409].—The provisions of Rule 409(b), above, are not considered applicable to the following:

(1) General or special partners or holders of voting or non-voting stock of member organizations.

N. Y. Educational Circular No. 252

NEW YORK STOCK EXCHANGE

Department of Member Firms

December 20, 1968

To: Members, Allied Members, and Branch Office Managers

Subject: Revision of Rule 408 - Discretion as to Customers' Accounts

Under the new Rule 408, as revised by the Board of Governors on December 19, 1968, no member, allied member or employee of a member firm shall be permitted to exercise discretionary authority over a customer account unless a written trading authorization has been obtained. The rule further prohibits a member, allied member or employee from accepting an order from a third person for a customer's account without first obtaining the proper written authority from the customer, with this authority in a form approved by counsel.

So that proper supervision can be exercised over discretionary accounts, the rule requires that each discretionary order entered for a customer's account by a member, allied member or employee shall be approved and initialed to signify such approval on the same day the order is entered. This approval must be given by a member, allied member or specifically approved (in writing) supervisory employee other than the person exercising discretion. To help assure that such discretionary orders are promptly approved, the amended rule requires the identification of each such order as discretionary on the order at the time of its entry.

Although Rules 342 and 405 require supervision over the handling of orders and accounts, amended Rule 408, recognizing the highly sensitive nature of discretionary accounts, calls for special frequent supervisory reviews of such accounts. Such reviews are to be made by a member or allied member other than the one handling the account. As an aid in supervising discretionary orders and accounts, the rule recommends that lists of such "accounts should be maintained at order or account control and review points."

Further, to make certain that the discretionary relationship is clearly understood between the customer and the member, allied member or employee, the rule not only requires the use of a formal agreement, but also requires an annual review in writing with the customer concerning the continuation of the authority.

The Rule against effecting purchases or sales of securities which are excessive in size and frequency relative to the financial resources of the customer as applied to discretionary accounts has been linked with the new rule 408 where it properly belongs.

Appropriately included in this rule, since it is concerned with "third party" orders and accounts, is the prohibition against accepting orders from a husband or wife for the account of the spouse without first having obtained proper written authority. The acquisition of such authority is prudent today in view of the incidence of divorce and other family disputes which too often cause legal problems for firms where such account documentation is absent.

H.C. Gentry 5-10
1-11-73
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The new rule 408 reads as follows:

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"(a) No member, allied member or employee of a member organization shall exercise any discretionary power in any customer's account or accept orders for an account from a person other than the customer without first obtaining the written authorization of the customer."

"Where a member, allied member or employee of a member organization exercises discretionary power in a customer's account, each discretionary order shall be approved and initialed on the day entered by a member, allied member or manager designated with written authority by a member or allied member to do so. Every order entered on a discretionary basis by a member, allied member or employee of a member organization must be identified as discretionary on the order at the time of entry. Such discretionary accounts shall receive frequent appropriate supervisory reviews by a member or allied member who is not exercising the discretionary authority."

"(b) No member or allied member or employee of a member organization exercising discretionary power in any customer's account shall (and no member organization shall permit any member, allied member, or employee thereof exercising discretionary power in any customer's account to) effect purchases or sales of securities which are excessive in size or frequency in view of the financial resources of such customer."

"(c) the provisions of this rule shall not apply to discretion as to the price at which or the time when an order given by a customer for the purchase or sale of a definite amount of a specified security shall be executed."

"Supplementary Material"

"Also see Rules 342.16, 405.2, 405.10, 409."

"The exercise of discretion by a husband or wife in the account of his or her spouse shall not be permitted without first obtaining the written authorization of the spouse."

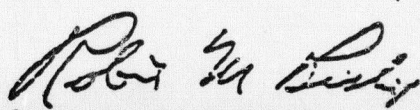
"Discretionary authority running to a member, allied member or an employee of a member organization, or to a third party shall be in a form approved by counsel. In unusual situations, counsel's advice should be obtained as to whether an informal letter from the customer might be satisfactory."

"Lists of discretionary accounts shall be maintained at order or account control and review points."

"When a discretionary power is held by a member, allied member, or an employee of the member organization, the member organization shall at least annually inquire of the customer in writing as to his interest in continuing such discretionary authority."

"The approval and initialing of discretionary orders shall be performed by a member, allied member or specifically delegated employee other than the one exercising the discretion."

Inquiries regarding this circular should be directed to Dale W. Roth, telephone number 623-3090.


Robert M. Bishop, Director

PLAINTIFF'S EXHIBIT 2

Schedules reflecting the frequency and number and money value of securities transactions executed by defendants in plaintiff's accounts at Dominick, Bank of New York and First National City Bank during the period from February 10, 1969 through March 3, 1970

(Pages A-842 to A-849 following)

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONEY VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT MATTINICK,
BANK OF N.Y. AND F.H.C.U. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

Security	Purchase Date	Sales Date	Purchase Price	Sales Price	Loss*	Purchase Commissions	Sales Commissions	Account at
1000 American Hosp. Sup. Corp.	2/11/69	2/20/69	\$34,579.	\$32,843.	\$1,736.	\$329.30	\$356.30	Bank of New York
1000 Chromalloy Amer. Corp.	2/11/69	2/20/69	43,222.	37,395.	5,827.	372.27	379.16	Bank of New York
1000 Chrysler Corp.	2/11/69	2/20/69	54,179.	51,257.	2,922.	429.30	441.80	Bank of New York
1000 Eastern Airlines Inc.	2/11/69	2/20/69	30,827.	27,861.	2,966.	326.50	331.36	Bank of New York
1000 Lear Siegler Inc.	2/11/69	2/20/69	26,667.	23,640.	3,027.	291.90	310.00	Bank of New York
1000 Republic Steel	2/11/69	2/20/69	51,626.	46,275.5	5,351.	425.74	423.80	Bank of New York
1000 Reynolds Metals	2/11/69	2/20/69	43,251.	39,099.	4,152.	388.34	387.69	Bank of New York
1000 Santa Fe Industries	2/11/69	2/20/69	38,238.	35,704.	2,534.	363.40	370.60	Bank of New York
1000 Texas Gulf Sulphur	2/11/69	2/20/69	35,164.	30,729.	4,435.	364.04	345.60	Bank of New York
1000 Trans World Airlines	2/11/69	2/20/69	47,896.	44,410.	3,486.	395.50	414.40	Bank of New York
500 Chromalloy Amer. Corp.	2/11/69	2/18/69	22,255.	18,809.	3,446.	205.26	190.13	Dominick & Dominick
500 American Hosp. Sup. Corp.	2/12/69	2/18/69	17,494.	16,670.	824.	181.55	179.40	Dominick & Dominick
500 Chrysler Corp.	2/12,14/69	2/18/69	26,972.	25,316.	1,656.	221.76	220.55	Dominick & Dominick
500 Delta Airlines	2/12/69	2/18/69	20,069.	18,660.	1,409.	194.40	189.40	Dominick & Dominick
500 Eastern Airlines	2/12/69	2/18/69	15,610.	13,934.	1,676.	172.20	165.65	Dominick & Dominick
500 Lear Siegler Inc.	2/12/69	2/18/69	13,603.	12,379.	1,221.	162.20	157.80	Dominick & Dominick
500 Leeson Corp.	2/12/69	2/18/69	25,069.	22,590.	2,479.	219.27	209.12	Dominick & Dominick
500 Lukens Steel Co.	2/12/69	2/18/69	17,368.	16,073.	1,295.	180.95	176.37	Dominick & Dominick
500 Ogden Corp.	2/12/69	2/18/69	17,683.	17,292.	391.	182.50	182.50	Dominick & Dominick
400 Reynolds Metals	2/12/69	2/18/69	17,563.	16,122.	1,441.	163.00	157.52	Dominick & Dominick
500 Santa Fe Industries	2/12/69	2/18/69	19,693.	17,852.	1,841.	192.50	185.30	Dominick & Dominick
500 Texas Gulf Sulphur	2/12/69	2/18/69	17,368.	15,924.	1,444.	180.95	175.65	Dominick & Dominick
500 Trans World Airlines - Warrants	2/12/69	2/18/69	16,539.	13,972.	2,567.	176.83	165.71	Dominick & Dominick

*Figures in parenthesis indicate profit.

A-842

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONEY VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT DOMINICK,
BANK OF N.Y. AND F.N.C.B. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

	<u>Security</u>	<u>Purchase Date</u>	<u>Sales Date</u>	<u>Purchase Price</u>	<u>Sales Price</u>	<u>Loss*</u>	<u>Purchase Commissions</u>	<u>Sales Commissions</u>	<u>Account at</u>
500	U. S. Steel	2/12/69	2/18/69	\$24,152.	\$21,707.	\$2,445.	\$214.70	\$204.70	Dominick & Dominick
1000	Technicolor Inc.	2/13/69	2/18/69	23,805.	22,526.	1,279.	305.00	298.80	Dominick & Dominick
300	Addressograph	4/30/69	5/26/69	24,441.	23,844.	597.	141.30	141.00	Dominick & Dominick
500	Allegheny Corp.	4/30/69	5/27/69	10,703.	10,954.	(251.)	140.65	146.25	Dominick & Dominick
500	American Hosp. Sup. Corp.	4/30/69	5/27/69	17,494.	17,354.	140.	181.58	182.80	Dominick & Dominick
1000	American Mach. & Foundry	4/30/69	5/27/69	26,307.	23,516.	2,791.	319.94	308.80	Dominick & Dominick
500	AXX	4/30/69	5/27/69	18,185.	15,862.	2,323.	185.00	175.30	Dominick & Dominick
500	Ampex	4/30/69	5/27/69	21,074.	20,775.	299.	199.40	200.00	Dominick & Dominick
500	Chromalloy Amer. Corp.	4/30/69	5/27/69	20,132.	17,864.	2,268.	194.70	185.37	Dominick & Dominick
500	Chrysler Corp.	4/30/69	5/26/69	25,057.	25,129.	(72.)	219.04	220.40	Dominick & Dominick
500	Cox Broadcasting	4/30/69	5/27/69	23,097.	22,765.	332.	209.44	210.00	Dominick & Dominick
300	Columbia Broadcasting System	4/30/69	5/27/69	16,400.	16,576.	(168.)	133.29	133.74	Dominick & Dominick
500	Gulf & Western Ind.	4/30/69	5/27/69	17,431.	14,805.	2,626.	181.25	170.00	Dominick & Dominick
500	Eckerd Drugs of Florida, Inc.	4/30/69	5/27/69	22,393.	23,051.	(658.)	205.95	211.44	Dominick & Dominick
500	Kinney National Service	4/30/69	5/27/69	16,803.	16,571.	232.	178.15	178.87	Dominick & Dominick
500	Leasora Corp.	4/30/69	5/27/69	24,692.	23,784.	908.	217.08	215.13	Dominick & Dominick
500	Ling Tanco Vought	4/30/69	5/27/69	26,471.	24,879.	1,592.	221.25	220.15	Dominick & Dominick
400	Litton Industries	4/30/69	5/27/69	22,378.	21,102.	1,276.	178.20	177.32	Dominick & Dominick
1000	Ogden Corp.	4/30/69	5/27/69	34,234.	28,590.	5,644.	359.40	334.88	Dominick & Dominick
500	Santa Fe Industries	2/14/69	5/27/69	19,567.	15,489.	4,078.	191.90	173.45	Dominick & Dominick
1000	Texas Gulf Sulphur	4/30, 5/15/69	5/27/69	31,094.	30,565.	529.	343.80	184.04	Dominick & Dominick
500	Xtra Inc.	4/30/69	5/27/69	19,818.	19,183.	635.	193.15	192.02	Dominick & Dominick

*Figures in parenthesis indicate profit.

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONETARY VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT DOMINICK,
BANK OF N.Y. AND T.N.C.B., DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

Security	Purchase Date	Sales Date	Purchase Price	Sales Price	Loss*	Purchase Commissions	Sales Commissions	Account at
500 Texas Gulf Sulphur	5/15/69	1/29/70	\$16,301.	\$ 9,661.	\$6,640.	\$175.65	\$133.15	Dominick & Dominick
500 Addressograph	4/30/69	5/27/69	40,717.	39,614.	1,103.	235.48	235.70	Bank of New York
1000 Allegheny Corp.	4/30/69	5/27/69	21,596.	21,536.	60.	283.15	288.97	Bank of New York
1000 American Hosp. Sup. Corp.	4/30/69	5/27/69	35,077.	34,957.	120.	326.87	367.61	Bank of New York
1000 American Mach. & Foundry	4/30/69	5/27/69	26,285.	23,516.	2,769.	285.38	309.28	Bank of New York
1000 Chromalloy Amer. Corp.	4/30/69	5/27/69	40,730.	34,833.	5,897.	354.97	367.01	Bank of New York
1000 Chrysler Corp.	4/30/69	5/27/69	50,640.	49,909.	731.	440.24	440.42	Bank of New York
1000 Columbia Broadcasting	4/30/69	5/27/69	55,923.	54,928.	995.	422.50	445.44	Bank of New York
1000 Cox Broadcasting	4/30/69	5/27/69	47,111.	45,280.	1,831.	413.00	419.72	Bank of New York
1000 Eckerd Drugs	4/30/69	5/27/69	47,149.	43,801.	3,348.	423.65	411.29	Bank of New York
1000 Gulf & Western Ind.	4/30/69	5/27/69	34,285.	29,361.	4,924.	359.64	339.40	Bank of New York
1000 Kinney National Service	4/30/69	5/27/69	31,574.	32,246.	2,328.	324.37	353.91	Bank of New York
1000 Leeson Corp.	4/30/69	5/27/69	50,578.	47,519.	3,059.	440.15	430.96	Bank of New York
1000 Texas Gulf Sulphur	4/30/69	5/27/69	29,676.	30,356.	(680.)	301.00	344.42	Bank of New York
1000 Ling Temco Vought	4/30/69	5/27/69	52,630.	49,546.	3,084.	442.20	440.03	Bank of New York
1000 Litton Industries	4/30/69	5/27/69	56,423.	51,994.	4,429.	423.33	443.55	Bank of New York
1000 Ogden Corp.	4/30/69	5/27/69	34,314.	28,253.	6,061.	314.28	333.17	Bank of New York
1000 Santa Fe Industries	4/30/69	5/27/69	33,184.	30,791.	2,393.	308.68	346.59	Bank of New York
1000 Levin Townsend Corp.	5/ 5/69	5/27/69	40,390.	36,574.	3,816.	390.00	375.00	Bank of New York
1000 Xtra Industries	5/ 5/69	5/27/69	42,777.	37,942.	4,835.	401.90	382.67	Bank of New York
1000 American Smelt. & Refin.	4/30/69	5/27/69	40,112.	36,786.	3,326.	362.13	376.85	Bank of New York
1000 ANK	4/30/69	5/27/69	36,836.	30,853.	5,983.	335.57	346.93	Bank of New York
1000 Ampex	4/30/69	5/27/69	41,745.	40,803.	942.	370.23	397.13	Bank of New York

*figures in parenthesis indicate profit.

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND DOLLAR VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT LEHMAN,
BROOK OF N.Y. AND F.N.C.B. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

	Security	Purchase Date	Sales Date	Purchase Price	Sales Price	Loss*	Purchase Commissions	Sales Commissions	Account at
1000	Leeds & Northrup	5/ 5/69	5/27/69	\$27,501.	\$29,536.	\$(2,035.)	\$326.00	\$340.20	Bank of New York
500	Atlantic-Richfield	10/14/69	1/29/70	50,783.	50,415.	14,368.	243.53	231.70	Bank of New York (1)
1000	Chromalloy Amer. Corp.	10/14/69	2/ 2/70	28,820.	26,197.	2,623.	332.44	323.02	Bank of New York (1)
1500	Chrysler Corp.	10/14,15/69	1/29/70	60,271.	40,168.	20,103.	583.50	413.40	Bank of New York (1)
1500	Gulf & Western Ind.	10/14,15/69	1/29/70	37,470.	24,684.	12,786.	470.00	299.32	Bank of New York (1)
1000	Kinney National Service	10/14/69	1/28/70	29,700.	28,171.	1,529.	336.84	333.00	Bank of New York (1)
1500	Leeson Corp.	10/14,15/69	1/30/70	47,457.	24,184.	23,273.	519.71	295.53	Bank of New York (1)
1000	Ling Temco Vought	10/14/69	1/30/70	44,435.	20,030.	24,399.	410.12	273.80	Bank of New York (1)
1000	Litton Industries	10/14/69	1/29/70	51,010.	23,994.	27,022.	441.18	311.96	Bank of New York (1)
1500	Ogden Corp.	10/14/69	1/29/70	37,345.	19,939.	17,406.	469.40	259.27	Bank of New York (1)
1500	Raytheon Co.	10/14,15/69	1/29/70	61,003.	39,618.	21,985.	590.06	410.82	Bank of New York (1)
2000	Republic Corp.	10/14,15/69	1/29/70	58,607.	43,165.	13,442.	699.70	453.20	Bank of New York (1)
300	Addressograph	10/15/69	1/29/70	25,242.	14,838.	10,404.	142.11	132.00	Bank of New York (1)
1500	American Smelt. & Refin.	10/15/69	1/29/70	47,394.	45,854.	1,540.	519.45	437.08	Bank of New York (1)
500	Chromalloy American Corp.	10/15/69	1/28/70	14,554.	13,359.	1,195.	166.96	162.80	Bank of New York (1)
800	Cox Broadcasting	10/15/69	1/28/70	43,155.	37,339.	5,816.	354.80	340.74	Bank of New York (1)
1000	Kaiser Industries	10/15/69	1/28/70	20,750.	17,450.	3,300.	274.76	247.50	Bank of New York (1)
1000	Penn Central Transp.	10/15/69	1/29/70	38,003.	27,726.	10,277.	378.10	330.67	Bank of New York (1)
1000	Reynolds Metals	10/15/69	1/29/70	36,106.	28,758.	7,348.	368.73	335.88	Bank of New York (1)
1000	Sangamo Electric Co.	10/15/69	1/29/70	24,209.	26,858.	(2,649.)	309.00	326.30	Bank of New York (1)
1000	St. Regis Paper	10/15/69	1/29/70	40,390.	33,201.	7,189.	390.00	358.10	Bank of New York (1)
1000	Santa Fe International	10/15/69	1/29/70	46,458.	25,207.	21,431.	420.20	317.12	Bank of New York (1)

*Figures in parenthesis indicate profit.
(1) At First National City Bank when sold.

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONEY VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEBITANTS IN PLAINTIFF'S ACCOUNTS AT DOMINICK,
BANK OF N.Y. AND F.N.C.B. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

	Security	Purchase Date	Sales Date	Purchase Price	Sales Price	Loss*	Purchase Commissions	Sales Commissions	Account at
200	Addressograph	10/14/69	1/29/70	\$17,045.	\$10,002.	\$ 7,043.	\$ 94.96	\$ 88.10	Dominick & Dominick
500	American Smelt. & Refin.	10/14/69	11/11/69	15,421.	16,734.	(1,313.)	171.00	179.70	Dominick & Dominick
300	Atlantic-Richfield	10/14/69	1/29/70	30,635.	22,084.	8,551.	147.48	139.23	Dominick & Dominick
700	Avnet Inc.	10/14/69	1/28/70	15,094.	11,032.	4,062.	218.80	182.50	Dominick & Dominick
500	Chromalloy American Corp.	10/14/69	11/11/69	14,466.	15,403.	(937.)	166.00	173.00	Dominick & Dominick
1000	Chrysler Corp.	10/14, 15/69	1/28/70	40,202.	27,373.	12,829.	389.10	328.80	Dominick & Dominick
500	Cox Broadcasting	10/14/69	1/28/70	25,068.	23,822.	1,246.	219.25	215.30	Dominick & Dominick
1000	Kaiser Aluminum	10/15/69	1/28/70	38,228.	33,753.	4,475.	379.27	361.11	Bank of New York (1)
500	Gulf and Western Ind.	10/14/69	1/29/70	12,494.	8,362.	4,132.	156.70	120.00	Dominick & Dominick
500	Kimsey National Service	10/14/69	1/28/70	14,730.	14,209.	521.	167.80	167.02	Dominick & Dominick
300	Levin-Townsend	10/14/69	1/29/70	27,953.	12,306.	15,647.	328.10	195.38	Dominick & Dominick
500	Leeson Corp.	10/14/69	1/29/70	15,597.	8,857.	6,740.	172.14	125.00	Dominick & Dominick
500	Ling-Temco-Vought	10/14/69	1/29/70	22,645.	10,064.	12,581.	207.20	137.25	Dominick & Dominick
500	Lifton Industries	10/14/69	11/11/69	25,620.	27,378.	(1,758.)	220.00	222.65	Dominick & Dominick
500	Ogden Corp.	10/14/69	1/29/70	12,658.	6,741.	5,917.	157.50	103.63	Dominick & Dominick
500	Raytheon Corp.	10/14/69	1/29/70	20,446.	13,376.	7,070.	196.25	162.80	Dominick & Dominick
500	Republic Corp.	10/15/69	1/28/70	14,743.	11,474.	3,269.	167.89	151.50	Dominick & Dominick
500	Republic Corp.	10/15/69	11/11/69	14,605.	16,734.	(2,129.)	167.00	179.70	Dominick & Dominick
500	Reynolds Metals	10/15/69	1/28/70	18,059.	14,744.	3,315.	184.40	169.70	Dominick & Dominick
500	Sungamo Electric Co.	10/15/69	11/11/69	11,751.	17,169.	(5,418.)	117.00-Est.	172.00-Est.	Dominick & Dominick
500	Santa Fe International	10/15/69	1/29/70	23,084.	12,816.	10,268.	209.40-Est.	160.00	Dominick & Dominick
500	Amerada Hess	10/29/69	1/29/70	19,456.	13,795.	5,661.	195.00-Est.	165.00	First National City
500	Allegheny Corp.	10/28/69	1/29/70	16,611.	10,604.	6,007.	166.00-Est.	178.50	First National City

* Figures in parenthesis indicate profit.
) At First National City Bank when sold.

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONEY VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT DOMINICK,
BANK OF N.Y. AND F.N.C.B. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

Security	Purchase Date	Sales Date	Purchase Price	Sales Price	Loss*	Purchase Commissions	Sales Commissions	Account at
500 AMK	10/28/69	1/29/70	\$15,750.	\$12,800.	\$ 2,950.	\$158.00-Est.	\$160.00	First National City
300 Canada Pacific Ry Co.	10/28/69	1/29/70	23,080.	19,633.	3,447.	231.00-Est.	136.80	First National City
500 Illinois Central Ind.	10/28/69	1/29/70	17,610.	13,608.	4,002.	176.00-Est.	164.05	First National City
500 Northrup Corp.	10/28/69	1/29/70	19,205.	14,292.	4,913.	192.00-Est.	167.50	First National City
500 National General Corp.	10/28/69	1/29/70	12,547.	7,477.	5,070.	125.00-Est.	111.38	First National City
1000 Northwest Ind.	10/28/69	1/29/70	18,770.	11,916.	6,854.	188.00-Est.	191.80	First National City
1000 Royal Crown Cola	10/28/69	1/29/70	16,371.	13,818.	2,553.	164.00-Est.	211.13	First National City
1000 Trans World Airlines - Warrants	10/28/69	1/29/70	18,088.	10,062.	8,026.	181.00-Est.	172.50	First National City
500 American Smelt. & Ref.	12/29/69	1/29/70	15,841.	15,241.	620.	173.45	172.20	Dominick & Dominick
500 Chromalloy American Corp.	12/29/69	1/29/70	15,170.	13,960.	1,210.	170.00	165.77	Dominick & Dominick
500 Litton Industries	12/29/69	1/29/70	18,688.	12,194.	6,494.	187.50	156.90	Dominick & Dominick
1000 Republic Corp.	12/29/69	1/29/70	28,456.	22,998.	5,458.	330.65	303.55	Dominick & Dominick
500 Sanyo Electric Co.	12/29/69	1/29/70	12,155.	13,687.	(1,532.)	122.00-Est.	137.00-Est.	Dominick & Dominick
1000 Teledyne	1/ 2/70	1/30/70	40,254.	29,601.	10,650.	402.00-Est.	340.13	First National City

*Figures in parenthesis indicate profit.

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONEY VALUE OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT DOMINICK,
BANK OF N.Y. AND F.N.C.B. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

	<u>Security</u>	<u>Purchase Date</u>	<u>Purchase Price</u>	<u>Fair Market Value on April 3, 1970</u>	<u>Loss*</u>	<u>Purchase Commissions</u>	<u>Account at</u>
500	Santa Fe Ind.	4/30/69	\$16,615.	\$12,750.	\$3,865.	\$117.00	Dominick & Dominick
500	Kinney National Service	10/11/69	15,107.	17,000.	(1,893.)	151.00-Est.	Dominick & Dominick
500	AMK	3/ 2/70	13,600.	13,250.	350.	162.20	Dominick & Dominick
500	Chromalloy American Corp.	3/ 2/70	14,416.	12,263.	2,153.	166.25	Dominick & Dominick
500	Chrysler Corp.	3/ 2/70	13,788.	13,750.	38.	163.15	Dominick & Dominick
200	Columbia Broadcasting	3/ 2/70	8,907.	8,250.	(43.)	82.12	Dominick & Dominick
500	Republic Corp.	3/ 2/70	10,198.	10,063.	135.	135.65	Dominick & Dominick
500	Santa Fe Ind.	3/ 2/70	12,595.	12,750.	(155.)	157.20	Dominick & Dominick
500	Trans World Airlines Inc.	3/ 2/70	10,514.	8,250.	2,264.	138.75	Dominick & Dominick
500	Allegheny Corp.	3/ 3/70	5,590.	5,313.	277.	90.00	Dominick & Dominick
500	Allegheny Corp.	3/ 3/70	5,590.	5,313.	277.	90.00	Dominick & Dominick
500	Avnet Inc.	3/ 3/70	5,779.	5,000.	779.	91.90	Dominick & Dominick
500	Dennison Mfg. Co.	3/ 3/70	10,892.	9,563.	1,329.	142.50	Dominick & Dominick
500	Kaiser Ind. Prosp. Issue	3/ 3/70	10,198.	13,063.	(2,865.)	135.65	Dominick & Dominick
300	Teledyne Inc. Prosp. Issue	3/ 3/70	7,971.	7,613.	358.	96.39	Dominick & Dominick
200	Teledyne Inc. Prosp. Issue	3/ 3/70	5,361.	5,075.	289.	64.50	Dominick & Dominick
1000	Eastern Airlines Inc.	3/ 3/70	17,634.	17,250.	384.	243.80	First National City
1000	Dennison	3/ 3/70	21,295.	19,125.	2,170.	280.00	First National City
500	Schlumberger Ltd.	3/ 3/70	37,935.	32,250.	5,685.	232.70	First National City
1000	American Smelt. & Refin. Co.	3/ 3/70	35,380.	36,000.	(620.)	365.00	First National City
1000	Chromalloy American Corp.	3/ 3/70	29,601.	24,625.	4,976.	336.30	First National City
1000	Teledyne Inc.	3/ 3/70	26,963.	25,375.	1,588.	323.10	First National City

*Figures in parenthesis indicate profit.

A-845

SCHEDULES REFLECTING THE FREQUENCY, NUMBER AND MONEY VALUE OF SECURITIES
TRANSACTIONS EXCLUDED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTS AT DOMINICK,
BANK OF N.Y. AND F.N.C.B. DURING THE PERIOD FROM FEBRUARY 10, 1969 THROUGH MARCH 3, 1970

	<u>Security</u>	<u>Purchase Date</u>	<u>Purchase Price</u>	<u>Fair Market Value on April 3, 1970</u>	<u>Loss*</u>	<u>Purchase Commissions</u>	<u>Account at</u>
1000	AMK	3/ 3/70	\$27,214.	\$26,500.	\$ 714.	\$324.40	First National City
1000	Chrysler Corp.	3/ 3/70	28,471.	27,500.	971.	330.60	First National City
800	Beckman Instrument Inc.	3/ 3/70	36,347.	33,600.	2,747.	332.00	First National City
1000	Allegheny Corp.	3/ 3/70	11,700.	10,625.	1,075.	185.00	First National City
1000	Avnet Inc.	3/ 3/70	11,953.	10,000.	1,953.	187.50	First National City
1000	Ashland Oil	3/ 3/70	26,209.	23,625.	2,584.	319.40	First National City
100	Beckman Instrument Inc.	3/ 3/70	4,481.	4,200.	281.	41.13	First National City
100	Beckman Instrument Inc.	3/ 3/70	4,456.	4,200.	256.	41.00	First National City
1000	Santa Fe Ind.	3/ 3/70	25,833.	25,500.	333.	317.50	First National City
	<u>Totals</u>		<u>Purchase Price</u>	<u>Sales Price</u>	<u>Loss</u>	<u>Purchase Commissions</u>	<u>Sales Commissions</u>
			\$4,170,802.00	\$3,091,595.00	\$599,046.00	\$40,969.29	\$32,511.46

*Figures in parenthesis indicate profit.

A-849

PLAINTIFF'S EXHIBIT 8FREQUENCY AND NUMBER OF SECURITIES
TRANSACTIONS EXECUTED BY DEFENDANTS IN PLAINTIFF'S ACCOUNTSPurchase and Sale:

<u>Year</u>	<u>In Three Months Or Less</u>	<u>More Than Three Months But Less Than Six Months</u>	<u>In More Than Six Months</u>
1965	18	12	47
1966	7	13	44
1967	16	9	46
1968	6	7	35
1969	72	0	0
Jan. 1-30, 1970	6	46	1

PLAINTIFF'S EXHIBIT 10

deGive's Technical Comments
dated May 26, 1969

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

May 26, 1969

Year 1969 to Date

	<u>Standard & Poor's</u> <u>500 Stock Avgs.</u>	<u>Dow Jones</u> <u>Industrials</u>	<u>Dow Jones</u> <u>Railroads</u>
High	106.74 May '69	974.92 May '69	281.98 Feb. '69
Low	97.06 Mar. '69	895.39 Mar. '69	231.93 Apr. '69

Week Ending May 24, 1969

High	106.17	968.98	242.34
Low	103.37	941.31	236.30
Close	104.59	947.45	238.30
Up or Down	- 1.35	-19.85	- 3.11

The advance which began around the middle of April has failed to produce the normal buying surges and market breadth is negative. The various technical indicators are signalling caution. Investors should now adopt a policy of eliminating weak holdings.

PdG:cf
 7

Paul deGive

Plaintiff's Exhibit 10

A-852

deGive's Technical Comments
dated January 12, 1970

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

January 12, 1970

Year 1969-70 to Date

	<u>Standard & Poor's</u> <u>500 Stock Avgs.</u>	<u>Dow Jones</u> <u>Industrials</u>	<u>Dow Jones</u> <u>Transportation</u>
High	106.74 May '69	974.92 May '69	281.98 Feb. '69
Low	88.04 July '69	764.36 Dec. '69	167.47 Dec. '69

Week Ending January 10, 1970

High	Not	819.23	184.04
Low	avail-	794.35	176.79
Close	able	798.11	177.77
Up or Down		-11.09	- 3.30

The current advance has not broadened sufficiently to be sustained. Traders may return to the sidelines in anticipation of an intermediate down cycle.

PdG:cf
7

Paul deGive

PLAINTIFF'S EXHIBIT 11

A-853

Excerpts from Dominick and Dominick's
Manual, pages 12, 20, 108

Supervision of Personnel

Registered Representatives are prohibited from
engaging in any business, during or after busi-
ness hours, other than that of the company, or
receive compensation in any form from any other
organization, without approval of the company
and the New York Stock Exchange. Refer to
N.Y.S.E. Rule 346.

Registered Representatives are prohibited from
maintaining any office space outside of the
office of the company, without the approval of
the company and the New York Stock Exchange.
Refer to New York Stock Exchange Rule 342.11.

Officers, Registered Representatives and all
other personnel are prohibited from effecting
the purchase or sale for his personal account,
or for the account of an member of his immediate
family, a security which he has been informed
will be the subject of a forthcoming report or
recommendation to be issued by the company.

Minimum Draw

In accordance with the Federal minimum wage law,
all sales personnel with drawing accounts will
receive a minimum of \$433.33 per month draw
against earned commissions.

Time Cards-non-exempt Employees

All non-exempt personnel are required to punch a
time card when entering office to commence work,
leaving for lunch, returning from lunch and when
leaving office at completion of work day regardless
of whether or not overtime may be involved.
Federal statute compels the company to maintain
accurate records of the hours worked.

DOMINICK & DOMINICK, INCORPORATED

Any employee on leave of absence who either accepts other employment during this period, applies for unemployment benefits or in any way acts in a manner contrary to the best interests of the Company during such leave period, will be considered as having resigned.

Progress Reports on Junior Salesmen

Branch Managers will make a quarterly report to the Vice President in charge of Sales, on the progress of salesmen for their first two years of selling. Marginal salesmen should also be included in this report, for such period as determined by the Branch Manager.

Visits by New York Personnel to Branch Offices

It would be appreciated, if prior to any visit to a Branch Office, you would notify the following people of your intentions so that as many problems as possible can be appropriately handled:

Messrs. Wick	Messrs. Noumayer
Smith	Caruso
Wadelson	Perrin
Hackey	McCrum
Starring	Mitchell
Rockefeller	Neuhlin

This policy does not apply to Research Department personnel.

Company Policy Toward its Registered Representatives:

- 1) Requires financial responsibility on the part of salesmen.
- 2) Does not permit its salesmen to carry discretionary accounts for other than immediate family members.

PL EX. 64

FOR ID 9-4-73

HARVEY D. KRAMEN
REPORTER

DOMINICK & DOMINICK, INCORPORATED

Reconfirming Open Orders to Customers

All open orders will be reconfirmed to customers every two (2) months. All branch offices (320 Park Avenue excepted) will reconfirm their own open orders

Discretionary Orders

*proper
needs*
We do not consider discretionary accounts desirable at DOMINICK & DOMINICK, Incorporated. However, there may be rare cases where a person is acting for a member of his family and where special dispensation has been granted.

All discretionary orders must be approved and signed by an Officer of the Corporation. Discretionary orders are orders from accounts who have provided the salesman with either limited or full trading authority. A separate file should be maintained in each office to keep copies of all discretionary orders.

Confirmation Accuracy

It is the responsibility of the individual salesman to compare the report of any trade to the original order to verify its accuracy. The Registered Representative is responsible for checking the account number against his master file of account numbers to ascertain that the office identifying number, account number, type of account and Registered Representative number are correct.

65
PL EX: 9-4-73
FOR ID: 9-4-73

PLAINTIFF'S EXHIBIT 12 FOR IDENTIFICATION

A-856

deGive's Diary

(Pages A-856 to A-869 following)

*Not from
X110 Court
11/7/92
in response
to 1st & 2nd
produce*

LAST MONTH							1968 OCTOBER 1968							NEXT MONTH						
1968 September 1968							S	M	T	W	T	F	S	1968 November 1968						
1	2	3	4	5	6	7														
8	9	10	11	12	13	14	6	7	8	9	10	11	12	1	2	3	4	5	6	7
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
29	30						27	28	29	30	31			24	25	26	27	28	29	30

FRIDAY

11

OCTOBER

PUF
EXHIBIT 12
3/4/72 W.C.

DINNER

*J. VAN ALLEN (out)
Ed Smith
1945*

*32.50
2.50
38.30*

10/11/68

285

FRIDAY, OCTOBER 11, 1968

81

PLF
 EXHIBIT 3
 2/9/70 W.B.

LAST MONTH	1968 OCTOBER 1968	NEXT MONTH
1968 September 1968		1968 November 1968
S M T W T F S	S M T W T F S	S M T W T F S
1 2 3 4 5 6 7	1 2 3 4 5	1 2
8 9 10 11 12 13 14	6 7 8 9 10 11 12	3 4 5 6 7 8 9
15 16 17 18 19 20 21	13 14 15 16 17 18 19	10 11 12 13 14 15 16
22 23 24 25 26 27 28	20 21 22 23 24 25 26	17 18 19 20 21 22 23
29 30	27 28 29 30 31	24 25 26 27 28 29 30

WEDNESDAY

16

OCTOBER

VAO ALIENS —
 Could be appearing
 Typewriter tape
 Cockroach 7.00 18.25
 PARTY 4.50 91.52
 PAID 22.00
 131.77

10/16/68

290

WEDNESDAY, OCTOBER 16, 1968

76

PLF
 3/9/72 W.E.

LAST MONTH	1969 FEBRUARY 1969	NEXT MONTH
1969 January 1969	S M T W T F S	1969 March 1969
S M T W T F S		S M T W T F S
1 2 3 4	1	1
5 6 7 8 9 10 11	2 3 4 5 6 7 8	2 3 4 5 6 7 8
12 13 14 15 16 17 18	9 10 11 12 13 14 15	9 10 11 12 13 14 15
19 20 21 22 23 24 25	16 17 18 19 20 21 22	16 17 18 19 20 21 22
26 27 28 29 30 31	23 24 25 26 27 28	23 24 25 26 27 28 29
		30 31

MONDAY

10

FEBRUARY

The Board Members
 suggested buying a
 May 1st 1969 to 1970
 1st 1st 1969 to 1970
 As per the Acting Lady
 Agreed To With 1969
 1969 5 -

2/10/69

041

MONDAY, FEBRUARY 10, 1969

324

PLF

EXHIBIT	6
3/9/72 W.F.	

LAST MONTH							1969 FEBRUARY 1969							NEXT MONTH						
1968 January 1969							S M T W T F S							1969 March 1969						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
													1							
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29

THURSDAY

20

FEBRUARY

Talked About Fed Reserve
 Policy - Rising Rates - Mistake
 to Tighten Money - All
 are going - OK to sell
 1/2 to 1/3 of the stock.

1/24/69
 J. F.

2/20/69

051

THURSDAY, FEBRUARY 20, 1969

314

P.C.F.
 EXHIBIT 7
 ID
 3/9/72 W.E.

LAST MONTH							1969 APRIL 1969							NEXT MONTH						
1969 March 1969							S M T W T F S							1969 May 1969						
						1		1	2	3	4	5					1	2	3	
2	3	4	5	6	7	8		6	7	8	9	10	11	12		4	5	6	7	8
9	10	11	12	13	14	15		13	14	15	16	17	18	19		11	12	13	14	15
16	17	18	19	20	21	22		20	21	22	23	24	25	26		18	19	20	21	22
23	24	25	26	27	28	29		27	28	29	30					25	26	27	28	29
30	31															30	31			

THURSDAY

24-23

APRIL

VAN BLEN'S

Remains 5 to 6
 At OVERSIGHT CONVENTION

No indication of how

long can be held if

MKT RATED PROBABLY GET

OUT FAST

MKT 175

4/24/69

114

THURSDAY, APRIL 24, 1969

251

PLF

EXHIBIT	8
3/9/72 V.E.	

LAST MONTH							1969 MAY 1969							NEXT MONTH						
1969 April 1969							1969 MAY 1969							1969 June 1969						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
												1	2	3						
6	7	8	9	10	11	12	4	5	6	7	8	9	10		1	2	3	4	5	6
13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
27	28	29	30				25	26	27	28	29	30	31	29	30					

THURSDAY

MAY

15

CALL VAN ALLEN'S

MAY PEAKING PROBABLY -

REPEAT DEAN WITTE'S

FORECAST WHICH VAN ALLEN

MADE OF JAN ON. DEAN

AXIS 7.85

5/15/69

135

THURSDAY, MAY 15, 1969

230

PLF
EXHIBIT

9

3/9/70 W.E.

LAST MONTH							1969 SEPTEMBER 1969							NEXT MONTH						
1969 August 1969							S M T W T F S							1969 October 1969						
S	M	T	W	T	F	S	1	2	3	4	5	6		S	M	T	W	T	F	S
						1	7	8	9	10	11	12	13			1	2	3	4	
3	4	5	6	7	8	9	14	15	16	17	18	19	20	5	6	7	8	9	10	11
10	11	12	13	14	15	16	21	22	23	24	25	26	27	12	13	14	15	16	17	18
17	18	19	20	21	22	23	28	29	30					19	20	21	22	23	24	25
24	25	26	27	28	29	30								26	27	28	29	30	31	
31							28	29	30											

WEDNESDAY

17

SEPTEMBER

discuss business
 Streets, Next International
 Human Van Alex 1220
 (GSA)
 9:30 / 7:00 PM

K. M. 2441

DINNER

Ford 2324

R. M. 1115

Ford 2000

K. M. 2441

53.94

9/17/69

260

WEDNESDAY, SEPTEMBER 17, 1969

105

PUC

EXHIBIT	10
3/9/72 W.E.	

LAST MONTH							1969 OCTOBER 1969							NEXT MONTH						
1969 September 1969														1969 November 1969						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
											1	2	3	4						1
7	8	9	10	11	12	13	5	6	7	8	9	10	11		2	3	4	5	6	7
14	15	16	17	18	19	20	12	13	14	15	16	17	18		8	9	10	11	12	13
21	22	23	24	25	26	27	19	20	21	22	23	24	25		14	15	16	17	18	19
28	29	30					26	27	28	29	30	31		20	21	22	23	24	25	26

MONDAY

6

OCTOBER

TAKES TO VAN ALLEN

DINNER 6.50
 TIP 1.00
 BUS FARE 7.50

LUNAR
 51K F7KJ
 10/6/69

PVC

EX. HST	11
DO	
3/9/72	W.E.

LAST MONTH							NEXT MONTH						
1969 September 1969							1969 OCTOBER 1969						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6		1	2	3	4			
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

THURSDAY

9

OCTOBER

PKT overbook
Called Van Alida - OK to
buy stocks but watch HEN

DINNER

12.90

Bus Trip

TIP

2.00

14.90

10/9/69

282

THURSDAY, OCTOBER 9, 1969

83

PLT

EXHIBIT	12
3/9/72	V.E.

LAST MONTH							1969 NOVEMBER 1969							NEXT MONTH						
1969 October 1969							S M T W T F S							1969 December 1969						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4	2	3	4	5	6	7	8	1	2	3	4	5	6	
5	6	7	8	9	10	11	9	10	11	12	13	14	15	7	8	9	10	11	12	13
12	13	14	15	16	17	18	16	17	18	19	20	21	22	14	15	16	17	18	19	20
19	20	21	22	23	24	25	23	24	25	26	27	28	29	21	22	23	24	25	26	27
26	27	28	29	30	31		30	24	25	26	27	28	29	28	29	30	31			

THURSDAY

6

NOVEMBER

SPECKE TO VPA FILING
 Some stock is being OK - but
 NOT PROBABLY NOT GOOD -
 TAKE SHORT PROFITS -
 BETTER THAN LOSS

11/6/69

310

THURSDAY, NOVEMBER 6, 1969

55

PLF

13
8/9/70 W.D.

LAST MONTH							1970 JANUARY 1970							NEXT MONTH						
1969 December 1969							S M T W T F S							1970 February 1970						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6					1	2	3		1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31				25	26	27	28	29	30	31							

TUESDAY

13

JANUARY

Capt JAN ALLEN -

MET PARKING and PROJECTS

downloaded from of

Gen of House is BACKSE

12: 4:30 PM

6th Fl. 1st Floor

Tues 4:30

1/13/70

013

TUESDAY, JANUARY 13, 1970

352

PLF

EXHIBIT	14
3/9/70 W.E.	

LAST MONTH														NEXT MONTH																											
1970 January 1970														1970 FEBRUARY 1970														1970 March 1970													
S M T W T F S														S M T W T F S														S M T W T F S													
														1 2 3 4 5 6 7														1 2 3 4 5 6 7													
4 5 6 7 8 9 10														8 9 10 11 12 13 14														8 9 10 11 12 13 14													
11 12 13 14 15 16 17														15 16 17 18 19 20 21														15 16 17 18 19 20 21													
18 19 20 21 22 23 24														22 23 24 25 26 27 28														22 23 24 25 26 27 28													
25 26 27 28 29 30 31																												29 30 31													

WEDNESDAY

25

FEBRUARY

One place 405 -

Talked of 7th St. 405 -

1000 - 1000 to 1000

1000 - 1000 4 50:00 -

Talked about 1000

1000 - 1000 1000 - 1000

1000 - 1000
2/25/70

PLF
EXHIBIT 15
3/9/70 V.C.

LAST MONTH							NEXT MONTH						
1970 February 1970							1970 MARCH 1970						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
							29	30	31				
1970 April 1970													
S	M	T	W	T	F	S							
			1	2	3	4							
5	6	7	8	9	10	11							
12	13	14	15	16	17	18							
19	20	21	22	23	24	25							
26	27	28	29	30									

WEDNESDAY

18

MARCH

9:10 VAN ALLEN - Apt 5

WILLIAM PETER CRIPPLE - 891
TORONTO

TAXI \$ 30

3/18/70

077

WEDNESDAY, MARCH 18, 1970

288

PLAINTIFF'S EXHIBIT 14

A-870

Eleanor deGive's Confirmation File

Eleanor De Give

Confirmation File For Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
60S	1	100 Chromalloy Amer.		10/25/68	
61S	1	100 Gulf & Western Ind.		10/25/68	
62S	1	100 Eastern Airlines		10/28/68	
63S	1	200 Chromalloy Amer.		10/28/68	
63P	1	200 " "	1/ 9/69		Cxl.
64S1	1	100 Chromalloy Amer.		10/28/68	
64S2	1	100 " "		10/28/68	
65S	1	100 Chrysler Corp.		10/28/68	
66S	1	100 Chrysler Corp.		10/28/68	
66P	1	100 " "	11/ 8/68		Cxl.
67S	1	200 Chrysler Corp.		10/28/68	
68S1	1	100 E G & G Inc.		10/28/68	
68S2	1	200 " "		10/28/68	
69S	1	300 Eastern Airlines		10/28/68	
70S1	1	200 Fairchild Hiller		10/28/68	
70S2	1	300 " "		10/28/68	

Plaintiff's Exhibit 14 (Continued)

A-871

2

Eleanor De Give

Confirmation File For Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
71S1	1	100 Fansteel Inc.		10/28/68	
71S2	1	100 " "		10/28/68	
72S	1	100 General Motors		10/28/68	
73S1	1	300 Gulf & Western		10/28/68	
73S2	1	100 " "		10/28/68	
73S3	1	100 " "		10/28/68	
74S	1	100 Itek Corp.		10/28/68	
75S1	1	100 Leeson Corp.		10/28/68	
75S2	1	100 " "		10/28/68	
76S	1	300 Litton Ind.		10/28/68	
77S1	1	100 Litton Ind.		10/28/68	
77S2	1	2 " "		1/10/69	
77P	1	102 " "	11/ 1/68		
78S	1	100 Lukens Steel		10/28/68	
79S1	1	100 Ogden Corp.		10/28/68	
79S2	1	300 " "		10/28/68	

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File For Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P &
80S	1.	100 Pan American		10/28/68	
81S1	1	100 Raytheon Co.		10/28/68	
81S2	1	100 " "		10/28/68	
81S3	1	200 " "		10/28/68	
82S	1	400 Sanders Assoc.		10/28/68	
83S	1	100 Teledyne Inc.		10/28/68	
84S1	1	300 Texas Gulf Sulphur		10/28/68	
84S2	1	100 " "		10/28/68	
85S1	1	100 Trans World Airlines		10/28/68	
85S2	1	100 " "		10/28/68	
86S	1	200 Raytheon Co.		10/29/68	
86P	1	200 " "	11/12/68		Cxl.
87S	1	200 Raytheon Co.		11/12/68	
88S	1	100 warrants TWA		10/29/68	

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File For Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
89S	1	400 Trans World Airways		10/29/68	
89P1	1	100 "	" 10/29/68		
89P2	1	100 "	" 10/29/68		
89P3	1	100 "	" 10/29/68		
89P4	1	100 "	" 10/29/68		
90S	1	200 Gulf & Western		11/ 1/68	
90P1	1	100 "	" 11/ 1/68		
90P2	1	100 "	" 11/ 1/68		
91S	1	8 Litton Industries		11/18/68	
92S	1	300 Fansteel Inc.		11/21/68	
93S	1	100 Gulf & Western		11/21/68	
94S	1	200 Chromalloy-Amer.		1/ 9/69	
95S	1	300 Amer So.-Afr. Inv.		2/11/69	
95P1	1	100 "	" 11/ 7/68		
95P2	1	100 "	" 11/ 7/68		
95P3	1	100 "	" 11/15/68		(505)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
96S1	1	1,000 Benguet Consol.		2/11/69	
96S2	1	500 " "		2/11/69	
96S3	1	100 " "		2/11/69	
96P1	1	500 " "	12/ 3/68		
96P2	1	100 " "	12/ 5/68		
96P3	1	500 " "	12/ 5/68		
96P4	1	300 " "	12/12/68		
96P5	1	200 " "	12/12/68		(2590)
97S1	1	300 Campbell Red Lakes		2/11/69	
97S2	1	800 " "		2/11/69	
97P1	1	200 " "	11/ 7/68		
97P2	1	100 " "	11/13/68		
97P3	1	100 " "	11/13/68		
97P4	1	100 " "	11/13/68		
97P5	1	200 " "	11/15/68		
97P6	1	300 " "	12/12/68		
97P7	1	100 " "	1/10/69		(3947)
98S	1	100 Control Data		2/12/69	
98P1	1	Put 100 " "	12/ 6/68		
98P2	1	100 " "	2/11/69		365+
99S	1	600 Dome Mines Ltd.		2/11/69	
99P1	1	100 " "	11/13/68		
99P2	1	100 " "	11/13/68		
99P3	1	100 " "	11/21/68		
99P4	1	300 " "	12/ 5/68		1315+

Plaintiff's Exhibit 14 (Continued)

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Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
100S	1	100 Fairchild Camera		2/12/69	
100P1	1	Put 100 "	12/16/68		
100P2	1	100 "	2/11/69		400+
101S	1	1,000 Giant Yellowknife		2/11/69	
101P	1	1,000 "	12/ 5/68		304+
102S1	1	206 Gulf & Western		2/18/69	
102S2	1	206 "		2/18/69	
102P1	1	Put 200 "	11/21/68		
102P2	1	Put 200 "	11/22/68		
102P3	1	400 "	2/11/69		
102P4	1	12 "	2/26/69		1000+
103S1	1	200 Homestake Mining		2/11/69	
103S2	1	400 "		2/11/69	
103P1	1	100 "	11/15/68		
103P2	1	200 "	11/15/68		
103P3	1	100 "	12/ 5/68		
103P4	1	100 "	12/ 5/68		
103P5	1	100 "	12/ 5/68		(1152)
104S1	1	100 Int'l. Mining		2/11/69	
104S2	1	900 "		2/11/69	
104P1	1	100 "	12/ 5/68		
104P2	1	300 "	12/ 5/68		
104P3	1	400 "	12/ 5/68		
104P4	1	200 "	12/16/68		(1796)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
105S1	1	100 Chromalloy Amer.		2/17/69	
105S2	1	200 " "		2/17/69	
105P	1	300 " "	2/11/69		(867)
106S1	1	200 Chrysler Corp.		2/17/69	
106S2	1	100 " "		2/17/69	
106P1	1	200 " "	2/11/69		
106P2	1	100 " "	2/11/69		(843)
107S1	1	100 Delta Airlines		2/17/69	
107S2	1	300 " "		2/17/69	
107P1	1	100 " "	2/11/69		
107P2	1	300 " "	2/11/69		(379)
108S1	1	100 Eastern Airlines		2/17/69	
108S2	1	300 " "		2/17/69	
108P1	1	100 " "	2/11/69		
108P2	1	300 " "	2/11/69		(642)
109S1	1	100 Leesona Corp.		2/17/69	
109S2	1	100 " "		2/17/69	
109P1	1	100 " "	2/11/69		
109P2	1	100 " "	2/11/69		(371)
110S1	1	100 Lukens Steel		2/17/69	
110S2	1	300 " "		2/17/69	
110P1	1	100 " "	2/11/69		
110P2	1	300 " "	2/11/69		(845)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
111S1	1	100 Ogden Corp.		2/17/69	
111S2	1	300 " "		2/18/69	
111P1	1	100 " "	2/11/69		
111P2	1	300 " "	2/11/69		(163)
112S1	1	100 Reynolds Metals		2/17/69	
112S2	1	300 " "		2/18/69	
112P1	1	100 " "	2/11/69		
112P2	1	200 " "	2/11/69		
112P3	1	100 " "	2/12/69		(768)
113S1	1	200 Santa Fe Ind.		2/17/69	
113P1	1	200	2/11/69		(336)
114S1	1	100 warrants TWA		2/17/69	
114S2	1	300 " "		2/17/69	
114P1	1	100 " "	2/11/69		
114P2	1	300 " "	2/11/69		(951)
115S	1	100 Chromalloy Amer.		2/18/69	
115P	1	100 " "	2/11/69		(297)
116S	1	300 Amer. Hospital Supply		2/18/69	
116P	1	300 " "	2/11/69		(381)
117S	1	300 Brunswick Corp.		2/18/69	
117P	1	300 " "	2/11/69		(622)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File For Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
118S	1	400 Lear Siegler		2/18/69	
118P	1	400 " "	2/11/69		(576)
119S	1	200 Royal Crown Cola		2/18/69	
119P	1	200 " "	2/11/69		(664)
120S	1	300 Spartan Ind.		2/24/69	
120P1	1	100 " "	2/11/69		
120P2	1	200 " "	2/11/69		(336)
121S1	1	100 Gulf & Western		4/29/69	
121S2	1	100 " "		4/29/69	
121S3	1	100 " "		4/29/69	
121P1	1	Put 100 " " @ 41 5/8	2/26/69		
121P2	1	Put 100 " " @ 42 1/2	2/19/69		
121P3	1	Put 100 " " @ 42	2/19/69		
121P4	1	200 " "	4/29/69		
121P5	1	100 " "	4/29/69		2032+
122S	1	100 Polaroid Corp.		5/ 2/69	
122P1	1	Put 100 " " @ 119	1/10/69		
122P2	1	100 " "	5/ 2/69		(114)
123S	1	100 Chrysler Corp.		5/22/69	
123P	1	100 " "	4/30/69		57+

Plaintiff's Exhibit 14 (Continued)

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Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
124S1	1	100 Gulf & Western		5/22/69	
124S2	1	100 " "		5/22/69	
124P1	1	100 " "	4/29/69		
124P2	1	100 " "	4/29/69		(187)
125S1	1	100 Ogden Corp.		5/22/69	
125S2	1	100 " "		5/22/69	
125P	1	200 " "	4/29/69		(724)
126S1	1	100 Santa Fe Ind.		5/22/69	
126S2	1	100 " "		5/22/69	
126P	1	200 " "	5/ 1/69		(75)
127S	1	100 warrants TWA		5/22/69	
127P	1	100 " "	5/ 1/69		(150)
128S1	1	100 Xtra Inc.		5/22/69	
128S2	1	100 " "		5/22/69	
128P1	1	100 " "	4/30/69		
128P2	1	100 " "	5/ 6/69		(716)
129P	1	Put 100 I.B.M. @ 306 7/8 expire 5/12/69	10/31/68	Exp.	(2050)
130P	1	Put 100 Xerox @ 265½ expire 5/12/69	10/31/68	Exp.	(2075)
131P	1	Put 100 Control Data @ 143 expire 5/26/69	12/ 2/68	Exp.	(1569)

Plaintiff's Exhibit 14 (Continued)

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Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
132S	1	100 Addressograph-Multi.		5/26/69	
132P	1	100 " "	4/30/69		(187)
133S	1	50 Natomas Co.		5/26/69	
133P	1	50 " "	5/13/69		1315+
134S	1	300 Allegheny Corp.		5/27/69	
134P	1	300 " "	4/30/69		561+
135S	1	200 Amer. Hospital Supply		5/27/69	
135P	1	200 " "	4/30/69		(56)
136S	1	200 Amer. Machine & Foundry		5/27/69	
136P	1	200 " "	4/30/69		(536)
137S	1	200 Amer. Photocopy Eqpt.		5/27/69	
137P	1	200 " "	4/30/69		(141)
128S	1	100 A M K		5/27/69	
138P	1	100 " "	4/29/69		(427)
139S1	1	100 Ampex Corp.		5/27/69	
139S2	1	100 " "		1/ 9/70	
139P	1	200 " "	4/30/69		253+
140S	1	200 Avnet Inc.		5/27/69	
140P	1	200 " "	4/30/69		(412)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
141S	1	200 Chromalloy Amer.		5/27/69	
141P	1	200 " "	4/29/69		(437)
142S	1	200 Cox Broadcasting		5/27/69	
142P1	1	100 " "	4/30/69		
142P2	1	100 " "	5/ 6/69		71+
143S	1	100 Kidde Walter & Co.		5/27/69	
143P	1	100 " "	5/ 6/69		(716)
144S	1	200 Kinney Nat'l.Svce.		5/27/69	
144P	1	200 " "	4/29/69		(173)
145S	1	200 Leeson Corp.		5/27/69	
145P	1	200 " "	4/29/69		(58)
146S	1	100 Levin-Townsend Computer		5/27/69	
146P	1	100 " "	4/30/69		(394)
147S	1	100 Litton Industries		5/27/69	
147P	1	100 " "	4/29/69		(194)
148S	1	100 Occidental Petroleum		5/27/69	
148P	1	100 " "	5/ 1/69		(174)
149S	1	200 Texas Gulf Sulphur		5/27/69	
149P	1	200 " "	4/30/69		203+

Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
150S	1	100 Gulf & Western		5/27/69	
150P	1	100 " "	4/30/69		(525)
151S	1	100 Ogden Corp.		5/27/69	
151P	1	100 " "	4/30/69		(452)
152S1	1	100 Amer. So.African Inv.		7/29/69	
152S1	1	200 " "		7/29/69	
152P1	1	200 " "	7/ 8/69		
152P2	1	100 " "	7/14/69		(4040)
153S	1	200 E G & G Inc.		8/15/69	
153P1	1	Put 200 " " @ 42	5/8 2/20/69		
153P2	1	200 " "	8/15/69		628+
154S	1	200 Chrysler Corp.		8/21/69	
154P	1	200 " "	8/19/69		(437)
155S	1	200 Fairchild Camera		8/29/69	
155P1	1	Put 200 " "	2/19/69		
155P2	1	100 " "	8/29/69		
155P3	1	100 " "	9/ 2/69		(654)
156P	1	Put 100 Burroughs @ 232 3/4 exp. 8/29/69	2/19/69	Exp.	(2138)
157P	1	Call 200 Int'l. Mining Expire 5/26/69	2/19/69	Exp.	(760)

Plaintiff's Exhibit 14 (Continued)

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14

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
158P	1	Put 100 Control Data @ 131½ expire 8/29/69	2/19/69	Exp.	(1225)
159P	1	Put 100 Xerox @ 258½ expire 9/4/69	2/25/69	Exp.	(2225)
160S	1	200 Giant Yellowknife		9/22/69	
160P	1	200 " "	7/ 8/69		(461)
161S	1	100 Amer. So. Afr. Inv.		9/22/69	
161P	1	100 " "	9/ 8/69		(50)
162S	1	100 Canadian Pacific		10/15/69	
162P1	1	*Put 100 " @ 81 1/2	6/17/69		
162P1	1	100 " "	" 10/14/69		27+
163S	1	100 Penn Central Corp.		10/14/69	
163P1	1	Put 100 " @ 54 1/8	5/28/69		
163P2	1	100 " "	10/13/69		1212+
164S	1	100 Amer. So. Afr. Inv.		10/13/69	
164P	1	100 " "	9/25/69		(763)
165S	1	500 Campbell Red Lakes		10/13/69	
165P1	1	100 " "	7/ 8/69		
165P2	1	100 " "	7/ 8/69		
165P3	1	100 " "	7/10/69		
165P4	1	100 " "	7/15/69		
165P5	1	100 " "	9/14/69		(4768)

*No document available: Information taken from statement and included

Plaintiff's Exhibit 14 (Continued)

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Eleanor De Give

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Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
166S	1	100 Dome Mines Ltd.		10/13/69	
166P	1	100 " "	7/ 8/69		(1781)
167S	1	300 Giant Yellowknife		10/13/69	
167P1	1	100 " "	7/10/69		
167P2	1	200 " "	9/ 9/69		(960)
168S	1	700 Homestake Mining		10/13/69	
168P1	1	200 " "	7/ 8/69		
168P2	1	100 " "	7/10/69		
168P3	1	200 " "	7/14/69		
168P4	1	200 " "	9/24/69		(5241)
169S	1	100 Penn Central		10/28/69	
169P	1	100 " "	10/28/69		Cx1.
170P	1	Put 100 Polaroid @ 111 1/8 expire 10/31/69	4/21/69	Exp.	(1025)
171P	1	Put 100 Burroughs W.I. 121½ expire 11/3/69	4/22/69	Exp.	(1050)
172P	1	Put 100 Burroughs W.I. 121½ expire 11/3/69	4/22/69	Exp.	(1050)
173S	1	100 A M K Corp.		11/10/69	
173P	1	100 " "	10/16/69		(74)
174S1	1	100 Chrysler Corp.		11/10/69	
174S2	1	100 " "		11/11/69	
174P	1	200 " "	10/13/69		236+

Plaintiff's Exhibit 14 (Continued)

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Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
175S	1	100 American Can		11/11/69	
175P	1	100 " "	10/13/69		148+
176S1	1	100 Chromalloy Amer.		11/11/69	
176S2	1	100 " "		11/12/69	
176P	1	200 " "	10/13/69		981+
177S	1	100 Cox Broadcasting		11/11/69	
177P	1	100 " "	10/13/69		433+
178S1	1	100 Republic Corp.		11/11/69	
178S2	1	100 " "		11/12/69	
178P	1	200 " "	10/15/69		889+
179S	1	100 Kinney Nat'l. Svce.		11/12/69	
179P	1	100 " "	10/13/69		239+
180S	1	100 Control Data		12/ 4/69	
180P1	1	Put 100 " " @ 147	5/27/69		
180P2	1	100 " "	12/ 4/69		1953+
181P	1	Put 100 Ampex @ 41 expire 12/8/69	5/27/69	Exp.	(575)
182P	1	Put 100 Fairchild Camera @ 84 3/4 expire 12/8/69	5/27/69	Exp.	(825)
183P	1	Put 100 Burroughs @ 122 1/2 expire 12/8/69	5/27/69	Exp.	(1112)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
184S	1	100 A M K Corp.		12/10/69	
184P	1	100 " "	10/22/69		(784)
185S	1	200 Gulf & Western		12/10/69	
185P	1	200 " "	10/13/69		(994)
186S	1	100 Leesona Corp.		12/10/69	
186P	1	100 " "	10/13/69		(963)
187S	1	100 Ling Temco Vought		12/10/69	
187P	1	100 " "	10/13/69		(1414)
188S	1	50 Natomas Co.		12/10/69	
188P	1	50 " "	11/ 5/69		(56)
189S	1	300 Northwest Ind.		12/10/69	
189P1	1	100 " "	10/15/69		
189P2	1	100 " "	10/15/69		
189P3	1	100 " "	10/22/69		(1975)
190S	1	200 Ogden Corp.		12/10/69	
190P	1	200 " "	10/13/69		(1071)
191S	1	100 Raytheon Co.		12/10/69	
191P	1	100 " "	10/15/69		(854)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De GiveConfirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
192S	1	100 warrants TWA		12/10/69	
192P	1	100 " "	10/22/69		(545)
193S	1	400 Ogden Corp.		1/ 6/70	
193P	1	400 " "	12/29/69		Cx1.
194S	1	100 Chromalloy Amer.		1/ 9/70	
194P	1	100 " "	12/29/69		(98)
195S1	1	100 Chrysler Corp.		1/ 9/70	
195S2	1	100 " "		1/ 9/70	
195P1	1	100 " "	12/29/70		
195P2	1	100 " "	12/29/70		(442)
196S1	1	100 Ling Temco Vought		1/ 9/70	
196S2	1	200 " "		1/12/70	
196P	1	300 " "	12/29/70		(1173)
197S1	1	100 Litton Ind.		1/ 9/70	
197S2	1	200 " "		1/12/70	
197P	1	300 " "	12/29/70		(1906)
198S	1	100 Natomas Co.		1/ 9/70	
198P	1	100 " "	12/29/69		(1070)
199S1	1	100 Republic Corp.		1/ 9/70	
199S2	1	200 " "		1/12/70	
199P	1	300 " "	12/29/69		(1245)

Plaintiff's Exhibit 14 (Continued)

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Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
200S1	1	100 Teledyne Inc.		1/ 9/70	
200S2	1	200 " "		1/12/70	
200P	1	300 " "	12/29/69		(1666)
201S	1	200 A M K Corp.		1/12/70	
201P	1	200 " "	12/29/69		(244)
202S	1	200 Chromalloy Amer.		1/12/70	
202P	1	200 " "	12/29/69		(344)
203S	1	400 Gulf & Western		1/12/70	
203P	1	400 " "	12/29/69		(1128)
204S	1	400 Northwest Ind.		1/12/70	
204P	1	400 " "	12/29/69		(28)
205S	1	200 warrants T W A		1/12/70	
205P	1	200 " "	12/29/69		(333)
206S	1	200 A M K Corp.		3/17/70	
206P1	1	100 " "	2/27/70		
206P2	1	100 " "	3/ 2/70		(437)
207S	1	100 Amer. Metal Climax		3/17/70	
207P	1	100 " "	2/27/70		(244)
208S	1	100 Amer. Smelt. & Refining		3/17/70	
208P	1	100 " "	2/27/70		(75)

Plaintiff's Exhibit 14 (Continued)

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20

Eleanor De Give

Confirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
209S	1	100 Arizona Public Svce.		3/17/70	
209P	1	100 " " "	2/27/70		(212)
210S	1	100 Arkansas Louisiana		3/17/70	
210P	1	100 " " "	2/27/70		154+
211S	1	200 Avnet Inc.		3/17/70	
211P1	1	100 " " "	2/27/70		
211P2	1	100 " " "	2/27/70		(303)
212S	1	200 Chromalloy Amer.		3/17/70	
212P1	1	100 " " "	2/27/70		
212P2	1	100 " " "	3/ 2/70		(217)
213S	1	100 Dennison Mfg.		3/17/70	
213P	1	100 " " "	3/ 2/70		(246)
214S	1	100 Gulf & Western		3/17/70	
214P	1	100 " " "	2/27/70		(90)
215S	1	100 Kaiser Ind. Inc.		3/17/70	
215P	1	100 " " "	2/27/70		(106)
216S	1	100 Northwest Ind.		3/17/70	
216P	1	100 " " "	3/ 4/70		(233)
217S	1	200 Ogden Corp.		3/17/70	
217P	1	200 " " "	3/ 2/70		(293)

Plaintiff's Exhibit 14 (Continued)

A-890

21

Eleanor De GiveConfirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
218S	1	100 warrants T W A		3/17/70	
218P	1	100 " "	3/ 4/70		(213)
219S	1	100 Amer. Smelt. & Refining		4/ 8/70	
219P	1	100 " "	3/26/70		(578)
220S	1	100 Anaconda Co.		4/ 8/70	
220P	1	100 " "	3/16/70		(100)
221S	1	100 Cerro Corp.		4/ 8/70	
221P	1	100 " "	4/ 1/70		(545)
222S	1	100 Xerox Corp.		4/ 9/70	
222P1	1	Put 100 " " @ 97	10/1/69		
222P2	1	100 " "	4/ 9/70		(211)
223S	1	100 A M K, Corp.		4/10/70	
223P	1	100 " "	3/25/70		(71)
224S	1	100 Amerada Hess		4/10/70	
224P	1	100 " "	4/ 2/70		(233)
225S	1	100 Arkansas La. Gas		4/10/70	
225P	1	100 " "	4/ 2/70		(312)
226S	1	100 Chromalloy Amer.		4/10/70	
226P	1	100 " "	3/24/70		(532)

Plaintiff's Exhibit 14 (Continued)

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22

Eleanor De GiveConfirmation File for Account Maintained
At Dominick & Dominick, Incorporated

Document Number	Source	Description	Purch. Date	Sale Date	P & L
227S	1	100 Chrysler Corp.		4/10/70	
227P	1	100 " "	3/25/70		(198)
228S	1	100 Equity Funding		4/10/70	
228P	1	100 " "	4/ 2/70		(333)
229S	1	100 Lear Siegler		4/10/70	
229P	1	100 " "	3/26/70		(141)
230S	1	100 McDermott, J. Ray		4/10/70	
230P	1	100 " "	4/ 1/70		(687)
231S	1	100 Santa Fe Ind.		4/10/70	
231P	1	100 " "	4/ 9/70		(125)
232S	1	100 Storer Broadcasting		4/10/70	
232P	1	100 " "	4/ 2/70		(232)
233S	1	7 McDermott, J. Ray		4/10/70	
233P	1	7 " "	4/13/70		Cxl.
234S	1	7 McDermott, J. Ray		4/13/70	
234P	1	7 " "	4/13/70		Cxl.
235P	1	Call 100 AMK @ 31 5/8 expire 4/27/70	10/16/69	Exp.	(455)
236P	1	Call 200 Northwest Ind. @ 17½ expire 5/1/70	10/22/69	Exp.	(608)

PLAINTIFF'S EXHIBIT 20

Summary of Month End Value of Plaintiff's
Portfolio, from January 31, 1969 to March
31, 1970

SUMMARY OF MONTH END VALUE OF PLAINTIFF'S
PORTFOLIO AT DOMINICK & DOMINICK, BANK OF
NEW YORK AND FIRST NATIONAL CITY BANK
FROM JAN. 31, 1969 TO MARCH 31, 1970

	Total Net Value of Investment Account Excluding Municipal Bonds	Total Net Value of Investment Account Including Municipal Bonds
January, 1969	\$1,600,021.41	\$1,801,119.41
February, 1969	1,533,107.41	1,730,961.41
March, 1969	1,513,941.88	1,708,013.88
April, 1969	1,639,237.51	1,834,885.51
May, 1969	1,608,474.27	1,797,399.27
June, 1969	1,426,130.27	1,605,342.27
July, 1969	1,420,557.21	1,599,520.21
August, 1969	1,437,449.89	1,614,577.89
September, 1969	1,426,953.35	1,601,938.35
October, 1969	1,232,327.16	1,406,733.16
November, 1969	1,303,885.90	1,471,407.90
December, 1969	1,208,142.01	1,369,105.01
January, 1970	1,007,385.05	1,165,189.05
February, 1970	1,032,139.84	1,203,274.84
March, 1970	1,004,790.81	1,177,659.80
	<u>\$20,394,543.97</u>	<u>\$23,087,127.96</u>
Average Monthly Investment	<u>\$1,359,636.26</u>	<u>\$1,539,141.86</u>

PLAINTIFF'S EXHIBIT 27

Copy of Form Letter dated April 29, 1953 to Empire
Trust Company from Candace Van Alen

A-892

Date April 29, 1953

Empire Trust Company
120 Broadway
New York 5, N. Y.

Gentlemen:

In connection with my custodian account with you, I hereby authorize you, until further written notice by me, to accept instructions from Mr. Paul B. de Givé, whose signature appears below, to buy, sell and substitute securities in said custodian account.

As to any securities purchased, you are authorized to charge the cost thereof -

 X To cash with you in my custodian account in the Trust Department, or

 To cash deposited in your checking department, if payment is called for.

As to the sale or delivery of securities, you are authorized to deliver them against receipt or against payment in accordance with such instructions as you may receive from Mr. de Givé.

Any monies received from the sale of securities shall be credited to -

 X My custodian account in the Trust Department, or

 My checking account.

Very truly yours,

Candace Van Alen
(Mrs.) Candace Van Alen

Paul B. de Givé
Specimen signature.

5/1/53
Direct Notice
J.M.

PLAINTIFF'S EXHIBIT 28

A-893

Opening Account Card for Candace Van Alen at Dominick
& Dominick, dated July 23, 1953 (cash account) and
May 16, 1963 (margin account)

☐ Cash or ☐ Margin

MRS.
Name Van Alen, Candace **67-759490-21**

☐ Business Address _____

Telephone _____

☐ Home Address Newport, Rhode Island 6/11/54 "Avalon"
Hillbrook, New York Ocean Ave. Newport,
Rhode Island 02840

Telephone _____

Business Connection and Position Housewife

Introduced by Paul deGiv Assigned to Paul deGiv

References _____

Bank Accounts Empire Trust Company

Brokers' Accounts _____
(Past and Present)

Signed Customers Agreement ☐ May 16, 1963 Signature Filed 7/23/53
Loan Consent ☐ (Date) (Date)

Signed Trading Authority
Limited ☐ or Complete ☐ to _____ (Date)

Guaranteed by _____ (Date)

Investigate _____ Home Communication
(Yes or No) Permit Filed _____ (Date)

Approved by _____ Date _____
(Office Manager)

Approved [Signature] Date July 17, 1953
(A Partner)

Remarks Wife of James H. Van Alen

OVER

D & D _____

16
PL EX
FOR ID
MATTHEW B. KRAMER
REPORTER

Retain All Cash & Securities
Except Income & Dividends that
quarterly March 31, June 30,
Sept 30 & Dec 31

4/9/62 ^{7/10/62} DUP MONTHLY BOOKKEEPING STATEMENTS TO -

Mr. Orrie Stevens *Cancelled 8/11/62*
% Cadwalader Wickersham & Taft
14 Wall St., N Y 5 N Y

AS # 092-16-8444

5/10/63 Opened Margin a/c # 0-759490-1

cash and securities transferred from cash a/c to
Margin a/c

^{12/3/61} 5/13/63 DUP OF EVERYTHING (P & S Bills & Statements)
(including list of securities
to be sent monthly) to : Mr. Gordon S. Murphy

20 Broad St., N.Y., N.Y.
Eugene J. Bender & Company
Chanin Building
122 E. 42nd St., N Y 17 N Y

PLAINTIFF'S EXHIBIT 29

**Dominick & Dominick "Customer's Agreement", dated
May 16, 1963 and signed by Candace Van Alen**

A-895

Account of MRS. CANDACE VAN ALEN

DEF. 3

EX 333

Customer's Agreement

3.10

BEST COPY AVAILABLE

To MESSRS. DOMINICK & DOMINICK:

In respect of all accounts which the undersigned has, or may hereafter have, with you or your successors, it is agreed that:

1. The words "security" and "securities" when used herein shall include moneys, property, stocks, bonds, securities or any interest or instrument commonly known as a security, and contracts with respect thereto.

2. All transactions shall be subject to the rules, regulations, customs and usage of the exchange or market (and its clearing house, if any) where executed, and to the provisions of the Securities Exchange Act and the rules and regulations of the Federal Securities and Exchange Commission and of the Federal Reserve Board in so far as they may be applicable. You are hereby constituted the brokers and agents of the undersigned for the purpose of consummating all transactions except when you disclose to the undersigned in writing at or before the completion of a particular transaction that you are acting with respect to such transaction as dealers for your own account or as brokers for some other person. You may employ sub-brokers or sub-agents and shall be responsible only for reasonable care in their selection.

3. The undersigned will maintain at all times such margin as you may require.

4. Any and all moneys, securities or other property of the undersigned, now or hereafter held or carried by you in any account(s) of the undersigned (either individually or jointly with others), including any security deposited with you to secure such account(s), shall be held by you as security for the payment of any liability of the undersigned to you, and you are hereby authorized, without notice and without having in your possession or subject to your control, other securities of the same kind and amount, to pledge, repledge, hypothecate or rehypothecate the same from time to time, either separately or in common with other securities, for any amount owing in the said account(s) or for any greater amount; and you shall not be required to deliver to the undersigned the same securities deposited or received and shall only be required to deliver to the undersigned securities of the same kind and amount.

5. From time to time in your discretion, you may, without notice, apply and/or transfer any or all securities or equity therein interchangeably between any of the undersigned's accounts or from any of such accounts to any account guaranteed by the undersigned. Whenever and as often as you may, in your sole discretion, require further margin for the undersigned's account(s) or any account(s) guaranteed by the undersigned, you may withdraw from safekeeping any securities of the undersigned held in safekeeping and transfer the same to such account(s).

6. You may at any time terminate any account(s) of the undersigned with you and thereupon all amounts advanced and other balances owing, with interest and commissions, shall be immediately due and payable upon demand.

7. You may, in your sole discretion, close out any marginal account(s) or reduce or extinguish any indebtedness of the undersigned to you, whenever the margin in any account(s) of the undersigned may not meet your requirements, or whenever you deem it necessary for your protection, or in the event that a petition in bankruptcy or for the appointment of a receiver is filed by or against the undersigned or an attachment is levied against the account(s) of the undersigned, or in the event of the death of the undersigned (if an individual), by selling, at public or private sale, securities of the undersigned (owned either individually or jointly with others) held by you, and/or by buying in at public or private sale, any and all securities sold for the account of but not received from the undersigned, all without advertising the same and without prior tender or notice to or demand upon the undersigned, and upon any sale other than a private sale, you may purchase the whole or any part thereof free from any right of redemption, and no specific tender, demand or notice, or any failure on your part to exercise such right to reduce or extinguish any such indebtedness shall invalidate this waiver of tender, demand and notice; and after deducting all costs and expenses of such sales and/or purchases, including commissions, transfer and stamp taxes, you shall apply the net proceeds to the payment of the obligations of the undersigned to you, and the undersigned shall remain liable for any deficiency remaining in such account(s).

Plaintiff's Exhibit 29 (Continued)

A-896

8. The undersigned agrees to pay interest upon all debit balances at the rate or rates, from time to time, which you may determine to be fair and reasonable and, if you shall so determine, to pay a charge to cover your facilities and extra services.

9. In case of the sale of any securities by you at the direction of the undersigned and your inability to deliver the same to the purchaser by reason of the failure of the undersigned to supply you therewith, you are authorized to borrow any securities necessary to make delivery thereof, and in the event of your inability to borrow, the undersigned shall be responsible for any loss you may sustain thereby.

You shall have a reasonable time after payment and demand by the undersigned within which to effect a transfer of the securities bought and/or their shipment from the place of purchase for delivery to the undersigned.

10. You may send communications to the undersigned at the address given below or at such other address as the undersigned may from time to time direct, and all communications, whether by mail, telegraph, messenger or otherwise, shall be deemed given to the undersigned personally. You or any of your employees may communicate with the undersigned, if an individual, at the home or place of residence of the undersigned, at any time with reference to any transaction, marginal or otherwise.

11. The undersigned, if an individual, hereby represents that he is of full age; that he is not an employee of any exchange, or of any corporation of which any exchange owns a majority of the capital stock, or of a member of any exchange, or of a firm registered on any exchange, or of a bank, trust company, insurance company, or of any corporation, firm or individual engaged in the business of dealing, either as a broker or as principal, in securities, bills of exchange, acceptances or other forms of commercial paper and that no person in any such relationship or occupation is directly or indirectly interested in any account(s) of the undersigned with you.

12. This agreement can be amended only in writing duly signed by the undersigned and by a member of your firm. Whenever you shall give the undersigned notice of intention to terminate any account of the undersigned, or to reduce or extinguish any indebtedness of the undersigned, no oral agreement on the part of any of your agents agreeing to an adjournment shall be binding.

This agreement shall be irrevocable and shall survive any incidental, temporary or intermittent closing out or reopening of any account with you, and in case the undersigned is an individual, shall continue in the event of death or adjudication of incompetence to bind and benefit the personal representatives of the undersigned. This agreement shall benefit and bind your firm as it is now, or may be hereafter, constituted and any successor firm or firms.

Whenever any rule or regulation shall be prescribed or promulgated by the New York Stock Exchange, the Federal Securities and Exchange Commission and/or the Federal Reserve Board which shall affect, in any manner, or be inconsistent with any of the provisions hereof, the provisions in this agreement so affected shall be deemed modified or superseded, as the case may be, by such rule or regulation, and all other provisions of this agreement and the provisions as so modified or superseded, shall in all respects continue and be in full force and effect.

Dated, 16 May 1963

Signature: Candace Van Alen
Candace Van Alen

Address: Candace

Witness:

Paula E. Chase

Brooklyn NY
City State

We hereby confirm the above agreement.

Richard L. Lippard
By John L. Lippard

PLAINTIFF'S EXHIBIT 30

A-897

Letter of Instructions Relative to Custodian
Account for Candace Van Alen, dated October 23,
1969

11/23/73

FIRST NATIONAL CITY BANK

399 PARK AVENUE

NEW YORK, N. Y. 10022



LETTER OF INSTRUCTIONS

RELATIVE TO

CUSTODIAN ACCOUNT

FOR

DEC 5 - 1969

34-0153 CANDACE VAN ALLEN
(TITLE OF ACCOUNT)



INVESTMENT MANAGEMENT GROUP

LF.	EX 0
WIT. McLean	1
DATE 12/23/73	10010
BAR ASS'N. REPORTING SERVICE	

INDIVIDUAL

Plaintiff's Exhibit 30 (Continued)

A-898

FIRST NATIONAL CITY BANK

399 Park Avenue

NEW YORK, NEW YORK 10022

Please receive the following instructions with reference to such securities as you may now or hereafter hold in custodian account for the undersigned:

Candace VAN ALLEN

(Print Name of Account)

1. MAILING ADDRESS—All mail and notices are to be addressed as follows:

Avalon OCEAN AVE
NEWPORT R.I.

2. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER

3. INCOME—All interest and dividends which you may receive shall be credited to a Custodian Income account in the name of the undersigned. The balance accumulated in this account during each calendar month is to be remitted on the first day of the following month by:

☐ Crediting our checking account No. 0283-1975 at 399 Park Ave
(FNCB Branch)

☐ By check to _____

4. PRINCIPAL—Proceeds of sales of securities (and fractions thereof) maturing and redeemed securities, and charges for purchases of securities (and fractions thereof) and all other cash principal items to be entered to a Custodian Principal account in the name of the undersigned. If the balance of this account is insufficient to cover any charge for the purchase of securities (and fractions thereof) then such charge may be debited to any other account which the undersigned may have with you.

SERVICING OF SECURITIES—It is agreed that with respect to securities for which adequate financial information is not readily available to you, that your responsibility in relation thereto is limited to safekeeping and you assume no responsibility with respect to the following: coupon payments, redemptions, exchanges, or similar matters affecting such securities.

DISPOSITION OF FRACTIONAL SHARES—With ☒ Buy the necessary fractional shares to round out to a full share. *Per Instruction: Paul de Givre*
respect to all fractional shares received for account of the undersigned, you are hereby authorized to: ☒ Sell the fractional share received.

5. REGISTRATION—All securities requiring registration now or hereafter in the aforesaid account are to be inscribed in the name of your nominee, it being understood that negotiability is to be automatically provided by you as custodian. You are hereby authorized as attorney for us to execute our names and deliver any endorsements, assignments or other instruments of transfer which you deem necessary to effect transfer of any securities from my name to the name of your nominee and to guarantee as my authorized signature the signature so affixed.

I hereby authorize and empower you in my behalf and in my name, to sign any certificates of ownership or other certificates which are or may hereafter be required by any regulations of the Internal Revenue Department or other authority of the United States, relating to income tax. No securities not owned by the undersigned will be placed in your possession for account of the undersigned unless the undersigned shall have notified you in writing of the true ownership of such securities.

To enable you to execute said certificates properly, I hereby declare as follows. I hereby agree I am a citizen of US to notify you promptly in writing in case I should change my citizenship or legal residence as stated above. My legal residence is Albany, Tennessee

6. EXECUTION OF PROXIES—I request you to instruct the nominee to execute and file all proxies, except where a matter to be voted upon is the subject of a counter-solicitation, is a part of a proposal made by a stockholder which is being opposed by management, is of an unusual character, or may materially affect the stockholders.

I hereby relieve you and your nominee of all responsibility for failure to comply with these instructions, as a result of any mistake or oversight, whether such failure relates to the execution and filing of proxies not hereby authorized or to the failure to execute and file the proxies as herein authorized, or failure to send me notice of any meeting and proxy for consideration.

7. ORDERS TO PURCHASE OR SELL SECURITIES—When handling orders to buy or sell securities, it is understood and agreed that: (a) each such order will be given on the initiative of and voluntarily by the undersigned; (b) you will act as agent of the undersigned and not as principal, except that if the order be for the purchase or sale of obligations of the U.S. Government or its agencies, state or municipal bonds you may act as principal; (c) you may refer each such order to any broker or other sub-agent of your choice; (d) you shall have no liability or responsibility whatsoever for any error, neglect or default of any such broker or other sub-agent or for mutilations, interruptions, omissions, errors or delays occurring in the mails, or on the part of any telegraph, cable or wireless company, or any employee of such company, or by reason of any cause(s) beyond your control; (e) any fees charged for your own account in reference to any such orders are to cover the cost of effecting payments and deliveries and for such other banking services as are necessarily involved in the transactions, and (f) if an order to be executed by you is not given on a "good till cancelled" basis, then, unless otherwise instructed in writing by the undersigned, it will be cancelled on the last day of the next month following the date of its receipt.

8. FEES—The fees for this service are to be in accordance with your then current Schedule of Fees, payable semi-annually and I authorize you to charge my account with the amount for such fees.

9. SPECIAL INSTRUCTIONS—Charges for extraordinary services as outlined herein shall be agreed upon at the time this account is established or at the time such extraordinary services are requested, and you also are hereby authorized to charge the account of the undersigned with the amount of such charges.

10. TERMINATION OF APPOINTMENT—Either of us may terminate this appointment at any time upon thirty days written notice.

Plaintiff's Exhibit 30 (Continued)

A-900

11. AGREEMENT—All securities now or hereafter held by you as custodian for account of the undersigned are to be held or disposed of by you for, and subject at all times, to the instructions of, the undersigned.

Dated: Oct 24 1969

Very truly yours,

Camden Van Allen

By _____

ACCEPTED:

FIRST NATIONAL CITY BANK

By _____

Title _____

Date _____

=====

(The form below is to be signed only when it is desired to delegate to a third party authority over this account.)

I hereby authorize and request you to follow any and all written instructions given you by _____

Paul de Givé (BA 7-4600)
of Dominick & Dominick

in respect to the sale or exchange or other disposition of any or all of the securities which you, as Custodian or otherwise, now or in the future may hold for my account, the transfer, delivery or other disposition of said securities, the investment or other disposition of any cash which you, as Custodian or otherwise, may at any time hold for my account, or which may be held in any account standing in my name with you to which income from my securities and/or principal cash arising from the operation of my custodian account may be credited in accordance with standing instructions, and the purchase or acquisition by exchange or otherwise, of securities in my behalf, hereby granting unto my said attorney full power and authority in the premises, ratifying and confirming all that he shall do or cause to be done by virtue hereof.

The authority of the said attorney to act on my behalf as set forth above may be revoked only upon your receiving written notice to that effect signed by me; but if such authority should be terminated by operation of law without notice of such termination being received by you, then, in consideration of your acting hereunder, I agree to indemnify you against any loss occasioned by your acting upon the instructions of the said attorney prior to the receipt by you of notice of termination.

Very truly yours,

Camden Van Allen

PLAINTIFF'S EXHIBIT 31

A-901

Letter, dated October 24, 1969, Candace
Van Alen to The Bank of New York

R31

DELETED

14560-

1. Are there any
outstanding trades?
2. Ask Seagull to be quiet - 3A7-4600

October 24, 1969

TRUST DEPT.
RECEIVED
BY H. E. MUECKE
OCT 30 1969
Referred to _____
Answered by _____
Date _____
O.K. to File _____

The Bank of New York
48 Wall Street
New York, New York

Gentlemen:

I plan to close my various banking relationships with you.

Please transfer the funds and securities in my regular custodian account at your earliest convenience in the following manner: all securities are to be delivered to First National City Bank, Securities Department Receive Free Section, 20 Exchange Place, New York, New York, attention Frank McMahon. Cash funds in the income and principal account are to be remitted by Cashier's Check to First National City Bank, 399 Park Avenue New York, New York 10022, attention Frank McMahon, Tube 99.

At a later date I shall be closing my small special purpose custodian accounts and my checking accounts. Should you have any further questions, you can call me directly or discuss it with Mr. Stafford McLean, Assistant Vice President, 399 Park Avenue, telephone 559-5171.

DATE RECD. _____

REFERRED TO _____

BY _____

SIGNATURE O. K. _____

APPROVED BY R. F. DAVENPORT

G. C. JENSEN

O. M. BENDIX

H. E. MUECKE

O. K. TO FILE

Very truly yours,

Candace Van Alen

(Mrs.) Candace Van Alen

Please acknowledge

PLAINTIFF'S EXHIBIT 60
deGive's Technical Comments
dated October 13, 1969

A-902

deJ 116
1

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

October 13, 1969

Year 1969 to Date

	<u>Standard & Poor's</u> <u>500 Stock Avgs.</u>	<u>Dow Jones</u> <u>Industrials</u>	<u>Dow Jones</u> <u>Railroads</u>
High	106.74 May '69	974.92 May '69	281.98 Feb '69
Low	88.04 July '69	788.07 July '69	190.53 July '69

WEEK ENDING OCTOBER 11, 1969

High	94.19	814.94	197.31
Low	91.75	793.95	193.10
Close	93.56	806.96	196.09
Up or Down	-.37	-1.45	-.02

Last week the market retested the 800 level in the Dow Jones Industrial averages with a noticeable drop in liquidation and an improvement in accumulation of stocks as compared with the other testing periods in July, August and September.

Accordingly, it is my opinion the stocks can be purchased for an intermediate advance and especially the depressed stocks which have had important declines and which during the past three months have established well defined bases.

The following stocks are in this category:

ACF Industries	Caterpillar Tractor	Ford Motor
Adams Mills	Celanese Corp.	General Electric
American Broadcasting	Chemetron	General Motors
American Metal Climax	Chromalloy-American	Gulf & Western
Amer Smelting & Refining	Chrysler	Ingersol Rand
Ametek	Cities Service	International Paper
Arlan's Dept. Stores	Collins Radio	Kaiser Aluminum & Chemicals
Atlantic Richfield	Colt Industries	Kaiser Industries
Avco Corp.	CBS	Kinney National Service
Avnet, Inc.	Cox Broadcasting	Lear-Siegler
Bobbie Brooks	Dennison Mfg.	Leesona
Burlington	Duplan	Ling-Temco-Vought
Capital Cities Broad- casting	Firestone Fire & Rubber	Magnavox

PdG/ebg

Paul deGive

PLAINTIFF'S EXHIBIT 63

A-903

Eleanor deGive Account at Dominick & Dominick

ELEANOR deGIVE

ACCOUNT AT DOMINICK & DOMINICK

CHRONOLOGICAL LIST OF TRANSACTIONS BY TRADE DATE
FEBRUARY 11, 1969 (PURCHASES) -- MARCH, 1970

SOURCE: Monthly statements (Def.'s Exhibit 22) and "confirmation" slips (Def.'s Exhibit 23)

[Footnotes]:

- * This entry appears on monthly statement only.
 - ** Transactions on March 24, 25 and 26, 1970 appear on confirmations only; April, 1970 monthly statements not available.
- v

Plaintiff's Exhibit 63 (Continued)

A-904

ELEANOR deGIVE
(Dominick & Dominick)

<u>Date</u>	<u>Bought</u>	<u>Sold</u>	<u>Description</u>	<u>Purchase Cost</u>	<u>Sales Price</u>
2/11/69	300		American Hospital Supply	\$ 10,383	
	300		Brunswick Corp.	6,233	
	400		Chromalloy American Corp.	17,312	
	300		Chrysler Corp.	16,221	
	400		Delta Air Lines	15,855	
	400		Eastern Airlines, Inc.	12,287	
	400		Lear Siegler Inc.	10,679	
	200		Leesona Corp.	9,950	
	400		Lukens Steel Co.	13,983	
	400		Ogden Corp.	14,146	
	300		Reynolds Metals	13,009	
	200		Royal Crown Cola Co.	8,078	
	200		Santa Fe Industries	7,651	
	300		Spartan Industries	7,243	
	400		Wtts. TWA	12,877	
		900	International Mining		\$28,663
		200	Homestake Mining		7,937
		100	International Mining Corp.		3,185
		300	American-South African Inv.		16,951
		1,000	Benquet Consolidated		15,485
		500	Benquet Consolidated		7,797
		800	Campbell Red Lakes		26,573
		600	Dome Mines		43,491
		1,000	Giant Yellowknife Mines		13,505
		400	Homestake Mining		15,873
2/12/69	100		Reynolds Metals	4,403	
2/17/69		400	Chromalloy American Corp.		16,148
		300	Chrysler Corp.		15,377
		400	Delta Air Lines		15,475
		400	Eastern Airlines, Inc.		11,645
		200	Leesona Corp.		9,578
		400	Lukens Steel Co.		13,137
		100	Ogden Corp.		3,496
		100	Reynolds Metals		4,217
		200	Santa Fe Industries		7,315
		400	Wtts. TWA		11,926
2/18/69		300	American Hospital Supply		10,002
		300	Brunswick Corp.		5,611
		400	Lear Siegler Inc.		10,103
		300	Ogden Corp.		10,487
		300	Reynolds Metals		12,428
		200	Royal Crown Cola Co.		7,414
2/24/69		300	Spartan Industries		6,906
4/29/69	100		A.M.K. Corp.	3,624	
	200		Chromalloy American Corp.	7,777	
	200		Gulf & Western Industries	6,445	
	200		Kinney National Service Inc.	6,520	
	200		Leesona Corp.	9,661	
	100		Litton Industries	5,494	
	200		Ogden Corp.	6,646	
4/30/69	100		Addressograph Multigraph	8,147	
	300		Allegheny Corp.	6,308	
	200		American Hospital Supply	6,998	
	200		American Machine & Foundry	5,264	
	200		Ampex Corp.	8,430	
	200		Avnet Inc.	4,029	
	100		Chrysler Corp.	4,994	
	100		Cox Broadcasting Corp.	4,592	
	100		Gulf & Western Industries	3,486	
	100		Levin-Townsend Computer	4,127	
	100		Ogden Corp.	3,386	
	200		Texas Gulf Sulphur	5,917	
	100		Xtra Inc.	3,964	

Plaintiff's Exhibit 63 (Continued)

A-905

<u>Date</u>	<u>Bought</u>	<u>Sold</u>	<u>Description</u>	<u>Purchase Cost</u>	<u>Sales Price</u>
5/01/69	100		Occidental Petroleum Corp.	\$ 4,466	
	200		Santa Fe Industries	6,470	
	100		Wtts. Trans World Airlines	2,544	
5/06/69	100		Cox Broadcasting	4,642	
	100		Kidde, Walter & Co. Inc.	5,269	
	100		Xtra Inc.	4,353	
5/07/69	200		American Photocopy	2,842	
5/13/69	50		Natomas Co.	4,477	
5/22/69		100	Chrysler Corp.		\$ 5,051
		200	Gulf & Western Industries		6,258
		200	Ogden Corp.		5,922
		200	Santa Fe Industries		6,394
		100	Wtts. Trans World Airlines		2,394
		200	Xtra Inc.		7,601
5/26/69		100	Addressograph Multigraph		7,960
		50	Natomas Co.		5,792
5/27/69		300	Allegheny Corp.		6,869
		200	American Hospital Supply		6,942
		200	American Machine & Foundry		4,728
		200	American Photocopy Equipment		2,701
		100	A.M.K. Corp.		3,197
		100	Ampex Corp.		4,180
		200	Avnet Inc.		3,617
		200	Chromalloy American Corp.		7,340
		200	Cox Broadcasting Corp.		9,305
		100	Gulf & Western Industries		2,961
		100	Kidde, Walter & Co. Inc.		4,553
		200	Kinney Natl. Service Inc.		6,693
		200	Leesona Corp.		9,603
		100	Levin-Townsend Computer		3,732
		100	Litton Industries		5,301
		100	Occidental Petroleum Corp.		4,292
		100	Ogden Corp.		2,924
		200	Texas Gulf Sulphur		6,121
7/08/69	200		Amer.-South African Investment	10,388	
	200		Campbell Red Lake Mines Ltd.	6,030	
	100		Dome Mines Ltd.	6,533	
	200		Giant Yellowknife Mines Ltd.	2,792	
	200		Homestake Mining	6,169	
7/10/69	100		Campbell Red Lake Mines Ltd.	3,109	
	100		Giant Yellowknife Mines Ltd.	1,434	
	100		Homestake Mining	3,097	
7/14/69	100		Amer.-South African Investment	5,532	
	200		Homestake Mining	6,243	
7/15/69	100		Campbell Red Lake Mines Ltd.	2,996	
7/29/69		300	Amer.-South African Investment		11,881
8/19/69	200		Chrysler Corp.	7,802	
8/21/69		200	Chrysler Corp.		7,365
9/08/69	100		Amer.-South African Investment	4,479	

Plaintiff's Exhibit 63 (Continued)

A-906

<u>Date</u>	<u>Bought</u>	<u>Sold</u>	<u>Description</u>	<u>Purchase Cost</u>	<u>Sales Price</u>
9/09/69	200		Giant Yellowknife Mines Ltd.	\$ 2,539.	
.. 22/69		100	Amer.-South African Investment		\$ 4,429
		200	Giant Yellowknife Mines Ltd.		2,330
9/24/69	100		Campbell Red Lake Mines Ltd.	2,783	
	200		Homestake Mining	5,415	
9/25/69	100		Amer.-South African Investment	4,843	
10/13/69		100	Amer.-South African Investment		4,081
		500	Campbell Red Lake Mines Ltd.		10,150
		100*	Campbell Red Lake Mines Ltd.		2,055
		100	Dome Mines Ltd.		4,752
		300	Giant Yellowknife Mines Ltd.		3,012
		700	Homestake Mining		15,683
	100		American Can	4,579	
	200		Chromalloy American Corp.	5,264	
	200		Chrysler Corp.	7,676	
	100		Cox Broadcasting	4,818	
	200		Gulf & Western Industries	4,660	
	100		Kinney National Service Inc.	2,908	
	100		Leesona Corp.	2,858	
	100		Ling Temco Vought Inc.	4,089	
	200		Ogden Corp.	4,812	
10/15/69	200		Northwest Industries	3,435	
	100		Raytheon Co.	4,215	
	200		Republic Corp.	5,867	
10/16/69	100		A.M.K. Corp.	3,197	
10/22/69	100		A.M.K. Corp.	3,235	
	100		Northwest Industries	1,813	
	100		Wtts. Trans World Airlines	1,812	
11/05/69	50		Natomas Co.	3,290	
11/10/69		100	A.M.K. Corp.		3,123
		200	Chrysler Corp.		7,912
11/11/69		100	American Can		4,727
		100	Chromalloy American Corp.		3,135
		100	Cox Broadcasting		5,251
		100	Republic Corp.		3,409
11/12/69		100	Chromalloy American Corp.		3,110
		100	Kinney National Service Inc.		3,147
		100	Republic Corp.		3,347
12/10/69		100	A.M.K. Corp.		2,451
		200	Gulf & Western Industries		3,667
		100	Leesona Corp.		1,895
		100	Ling Temco Vought Inc.		2,675
		50	Natomas Co.		3,233
		300	Northwest Industries		3,272
		200	Ogden Corp.		3,741
		100	Raytheon Corp.		3,359
		100	Wtts. Trans World Airlines		1,268

Plaintiff's Exhibit 63 (Continued)

A-907

<u>Date</u>	<u>Bought</u>	<u>Sold</u>	<u>Description</u>	<u>Purchase Cost</u>	<u>Sales Price</u>
11/25/69	200		A.M.K. Corp.	\$ 5,917	
	300		Chromalloy American Corp.	9,052	
	200		Chrysler Corp.	7,111	
	400		Gulf & Western Industries	8,462	
	300		Ling Temco Vought Inv.	8,801	
	300		Litton Industries	11,213	
	100		Natomas Co.	6,646	
	400		Northwest Industries	5,381	
	300		Republic Corp.	8,499	
	300		Teledyne Inc.	12,117	
	200		Wtts. Trans World Airlines	2,893	
1/09/70		100	Ampex Corp.		\$ 4,503
		100	Chromalloy American Corp.		2,936
		200	Chrysler Corp.		6,669
		100	Ling Temco Vought Inc.		2,576
		100	Litton Industries		3,160
		100	Natomas Co.		5,576
		100	Republic Corp.		2,451
		100	Teledyne		3,558
1/12/70		200	A.M. K. Corp.		5,674
		200	Chromalloy American Corp.		5,674
		400	Gulf & Western Industries		7,333
		200	Ling Temco Vought Inc.		5,052
		200	Litton Industries		6,146
		400	Northwest Industries		5,353
		200	Republic Corp.		4,803
		200	Teledyne Inc.		6,893
		200	Wtts. Trans World Airlines		2,560
2/27/70	100		A.M.K. Corp.	2,670	
	100		American Metal Climax Inc.	3,976	
	100		American Smelting & Refining	3,411	
	100		Arizona Public Service	2,242	
	100		Arkansas Louisiana Gas	2,758	
	200		Avnet Inc.	2,287	
	100		Chromalloy American Corp.	2,820	
	100		Gulf & Western Ind. Inc.	1,787	
	100		Kaiser Industries Corp.	1,977	
3/02/70	100		A.M.K. Corp.	2,695	
	100		Chromalloy American Corp.	2,871	
	100		Dennison Mfg. Co.	2,179	
	200		Ogden Corp.	3,019	
3/04/70	100		Northwest Industries	1,522	
	100		Wtts. Trans World Airlines	1,307	
3/17/70		200	A.M.K. Corp.		4,927
		100	American Metal Climax Inc.		3,732
		100	American Smelting & Refining		3,334
		100	Arizona Public Service		2,030
		100	Arkansas Louisiana Gas		2,911
		200	Avnet Inc.		1,984
		200	Chromalloy American Corp.		5,475
		100	Dennison Mfg. Co.		1,932
		100	Gulf & West Industries		1,697
		100	Kaiser Industries		1,870
		100	Northwest Industries		1,289
		200	Ogden Corp.		2,726
		100	Wtts. Trans World Airlines		1,094

Plaintiff's Exhibit 63 (Continued)

A-908

<u>Date</u>	<u>Bought</u>	<u>Sold</u>	<u>Description</u>	<u>Purchase Cost</u>	<u>Sales Price</u>
3/24/70	100**	:	Chromalloy American Corp.	\$ 2,770.	
3/25/70	100**		A.M.K. Corp.	2,594	
	100**		Chrysler Corp.	2,883	
6/70	100**		American Smelting & Refining	3,587	
	100**		Anaconda Co.	2,959	
	100**		Lear Siegler	1,863	

Plaintiff's Exhibit 63 (Continued)

A-909

ELEANOR deGIVE
(Dominick & Dominick)

Puts and Calls

<u>Date</u>	<u>Stock</u>	<u>Type of Transaction</u>	<u>Purchase</u>	<u>Sale</u>	<u>Purchase Cost</u>	<u>Sales Price</u>
2/11/69	Control Data Corp.	Exc. Put Purchase	100	100	\$14,253	\$16,290
2/11/69	Fairchild Camera & Ins.	Exc. Put Purchase	100	100	7,471	8,84
2/11/69	Gulf & Western Ind.	Exc. Put Purchase	400	412	18,367	21,70
2/26/69		Purchase	12		490	
2/19/69	Burroughs Corp.	Buy Put	100		2,138	
2/19/69	International Mining	Buy Call	200		760	
2/19/69	Control Data Corp.	Buy Put	100		1,225	
2/26/69	Xerox Corporation	Buy Put	100		2,225	
2/19/69	Gulf & Western Ind.	Buy Put	300		1,050	
4/29/69		Exc. Put Purchase	300	300	9,341	12,45
2/20/69	E G & G Inc.	Buy Put	200		1,025	
8/15/69		Exc. Put Purchase	200	200	6,772	8,42
2/19/69	Fairchild Camera & Ins.	Buy Put	200		1,550	
8/29/69		Exc. Put Purchase	200	200	12,603	13,45
4/22/69	Burroughs Corp.	Buy Put	200		2,100	
4/21/69	Polaroid Corp.	Buy Put	100		1,025	
5/02/69	Polaroid Corp.	Exc. Put Purchase	100	100	10,762	11,75
5/28/69	Penn Central Corp.	Buy Put	100		488	
10/13/69		Exc. Put Purchase	100	100	3,637	5,30

EXCERPTS FROM PLAINTIFF'S EXHIBIT 72: PLAINTIFF'S SECOND SET OF INTERROGATORIES DATED FEBRUARY 1, 1973 -- QUESTIONS 2c, 2d, 2f, 5a, 5f, 6a and 6b -- AND DEFENDANT DOMINICK'S ANSWERS TO THOSE RESPECTIVE QUESTIONS DATED APRIL 2, 1973

[Interrogatories]

2b. If "2a" is answered in the affirmative, did deGive give the said written order pursuant to a discretionary power which he had over plaintiff's account at Dominick.

2c. If "2b" is answered in the affirmative, was the said written order approved on the day it was entered by a member or allied member of the New York Stock Exchange (NYSE), or by a manager designated with written authority by a member or allied member of the NYSE to do so.

(NOTE: The word "entered" as used above and elsewhere in this interrogatory means the act of deGive giving the written order referred to, to any employee of Dominick for transmission to the floor of the NYSE where it was to be executed).

2d. If "2b" is answered in the affirmative was the said written order initialled on the day it was entered by a member or allied member of the NYSE, or by a manager designated with written authority by a member or allied member of the NYSE to do so.

2e. If either "2c" or "2d" is answered in the affirmative:

(i) State the name and address of the person who approved and the name and address of the person who initialled the said written order.

(ii) If the person given in answer to "2e(i)" was a manager when he approved or initialled the said order identify the writing, by date and name of person who executed the writing, which conferred the said manager's authority to do the said act.

2f. If "2b" is answered in the affirmative, was the said order identified as discretionary on the said writing at the time of entry or at any time thereafter up to April 3, 1970.

2g. If "2f" is answered in the affirmative:

(i) State the time stamped on the said written order.

* * * * *

3f. If "3e" is answered in the affirmative:

(i) State the name and address of the said officer who was a holder of Dominick voting stock.

(ii) Describe the said supervisory acts.

(iii) List each date when such supervisory act occurred.

(iv) Was any writing or other mark or symbol recorded on any document to memorialize such supervisory act.

(v) If (iv) or (v) are answered in the affirmative, state the date when each such writing or report was made and identify the document or report referred to.

4a. Did an officer who was a holder of Dominick voting stock other than deGivie learn between February 10, 1969, and April 3, 1970, any fact relative to any of the security transactions listed in the attached schedule.

4b. If "4a" is answered in the affirmative:

(i) Identify by line number and type (purchase or sale) each such transaction relative to which a holder of Dominick voting stock other than deGivie learned any fact.

(ii) State the name and address of such person or persons.

(iii) Describe the fact or facts which he learned.

(iv) State the date on which each said fact was learned.

(v) If the officer learned the said fact through reading a document, identify the document by date and author.

(vi) If the officer learned the said fact through an oral communication, state the name and address of his communicant.

5a. Did Dominick receive on or after December 20, 1968, a copy of NYSE "M.F. Educational Circular No. 252" (a copy of which is attached hereto).

5b. If "5a" is answered in the affirmative, state the date of receipt.

5c. Was any change, alteration or revision made in any of Dominick's procedural rules, or was any new procedural rule or regulation adopted, or made effective, by Dominick, prior to April 3, 1970, for the purpose of complying with, or conforming its procedure to Rule 408 of the NYSE as revised December 19, 1968 (a copy of which is attached hereto, being the second page of "M.F. Educational Circular No. 252").

5d. If "5c" is answered in the affirmative, was there a person employed by Dominick, whose duty it was to plan, prepare or see to the effectuation of such rule, regulation or procedure.

5e. If "5d" is answered in the affirmative:

(i) State the name and address of such person or persons.

(ii) Describe each such act done during the period December 20, 1968, to April 3, 1970, by such person.

(iii) If any written documents were prepared as part of such duty, identify those prepared and/or transmitted to any employee of Dominick during the period December 20, 1968, to April 3, 1970.

5f. If "5c" is answered in the affirmative, was deGive notified of such change, alteration or revision or new procedural rule.

5g. If "5f" is answered in the affirmative:

- (i) When was such notification given to deGive.
- (ii) Was it written or oral.
- (iii) If written, describe the writing by date and author.
- (iv) If oral, state the name and address of the person who notified deGive.
- (v) If deGive acknowledged receipt of the notification, state the date and method of his acknowledgement (oral, writing or by mark on a document).

6a. During the period December 19, 1968, and April 3, 1970, did Dominick maintain, at order or account control or review points, a list of discretionary accounts.

6b. If "6a" is answered in the affirmative, did plaintiff's name or the account number assigned to her account by Dominick, appear on such list.

6c. If "6b" is answered in the affirmative:

- (i) State the first day in the said period when plaintiff's name or account number appeared on such list or lists.
- (ii) State the locations where each of such lists were maintained during the said period.
- (iii) State the name and address of the Dominick employees whose duty it was to peruse such lists before effectuating any transaction on behalf of plaintiff or in her account at Dominick.

7a. During the period December 20, 1968, to April 3, 1970, did Dominick inquire in writing of plaintiff as to her interest in continuing the discretionary power over her account held by deGive.

7b. If "7a" is answered in the affirmative:

(i) State the dates when such inquiries were transmitted to plaintiff and the name and address of the author thereof.

(ii) If plaintiff responded to the said inquiries, state the dates of such responses.

8a. Did Dominick, acting as a broker for plaintiff, make any of the purchases or sales of securities shown on the attached schedule, at lines 1 through 10, 47 through 90 and on line 98.

[Answers to Interrogatories]

power over plaintiff's account at Dominick.

INTERROGATORY NO. 2c

No.

INTERROGATORY NO. 2d

No.

INTERROGATORY NO. 2e

Not applicable.

INTERROGATORY NO. 2f

No.

INTERROGATORY NO. 2g

Not applicable.

INTERROGATORY NO. 2h

Not applicable.

INTERROGATORY NO. 3a

Yes, on information and belief.

INTERROGATORY NO. 3b

Dominick does not understand what is meant by the phrase "each such discretionary act". Without reference to that phrase Dominick states on information and belief that Paul deGive gave instructions which resulted in the execution of the securities transactions referred to in the answer to Interrogatory No. 1b. On information and belief Mr. deGive discussed certain of these trades with plaintiff prior to giving instructions that they be made.

INTERROGATORIES NOS. 3c THROUGH 4b

Dominick objects to Interrogatories 3c through 4b on the ground that plaintiff has previously propounded interrogatories calling for substantially the same information, and defendants have responded thereto.

INTERROGATORY NO. 5a

Yes.

INTERROGATORY NO. 5b

Dominick & Dominick does not possess this information.

INTERROGATORY NO. 5c

Yes.

INTERROGATORY NO. 5d

Yes.

INTERROGATORY NO. 5e

(i) Thomas Mitchell, 200 East 66th Street, New York, New York.

(ii) Upon information and belief Mr. Mitchell, as Director of Compliance, took whatever steps were necessary to insure compliance with the rules.

(iii) Memoranda dealing with this subject were transmitted to all Branch Managers on June 23 and December 19, 1969. In addition the NYSE sent a copy of NYSE "M.F. Educational Circular No. 252" to all Dominick branches.

INTERROGATORY NO. 5f

Yes.

INTERROGATORY NO. 5g

The information sought by Interrogatory No. 5g is not known to Dominick.

INTERROGATORY NO. 6a

Yes.

INTERROGATORY NO. 6b

No.

INTERROGATORY NO. 6c

Not applicable.

INTERROGATORY NO. 7a

No.

INTERROGATORY NO. 7b

Not applicable.

INTERROGATORY NO. 8a

No.

INTERROGATORY NO. 8b

Not applicable.

INTERROGATORY NO. 8c

Dominick's records do not enable it to answer
Interrogatory No. 8c.

INTERROGATORY NO. 8d

Not applicable.

INTERROGATORY NO. 8e

Not applicable.

INTERROGATORY NO. 8f

Not applicable.

INTERROGATORY NO. 8g

Not applicable.

DEFENDANTS' EXHIBIT 2

A-919

Letter, dated April 3, 1970, Candace Van Alen
to Paul deGive

MRS. CANDACE A. VAN ALEN
AVALCN
OCEAN AVENUE
NEWPORT, R. I. 02840

Depts
EXHIBIT 2
DO
2/9/70 ✓

April 3, 1970

Mr. Paul DeGive
Dominick & Dominick, Inc.
14 Wall Street
New York, N. Y. 10005

Dear Paul:

As you know, I am concerned over the reports about the problems which face the Wall Street brokers at the present time, and I have, therefore, decided to transfer my securities to a bank for safekeeping rather than leave them with your Company.

Accordingly, I have instructed Dominick & Dominick to make delivery to my bank of the securities and cash in my account.

I have endeavored, unsuccessfully, to reach you by telephone to tell you this and to tell you also that I am so terribly nervous that I cannot continue the Power of Attorney which permits you to buy and sell for my account without consulting me. Therefore, I am revoking that Power and have so advised Dominick & Dominick.

I regret very much the need to take these steps but know you will understand, and I do hope to see you when I get back to town.

Cordially yours,

Candace A. Van Alen

CAV/lcc

DEFENDANTS' EXHIBIT 6

A-920

Form Letter, dated December 24, 1948, Candace Van
Alen to Empire Trust Company

Empire Trust Company
NEW YORK

CUSTODIAN ACCOUNT FOR

For the
Mrs. Candace Van Alen

marked for identification
as Jerome Exhibit 3
as of this date
Barry Harris
Dec 19, 1972

RECEIVED
JAN 1 1949

Empire Trust Company, New York

New York, New York.

Dear Sirs:

The undersigned hereby requests you, and you by your acceptance hereof agree, to open and maintain a custody account (herein called the "Account") in the name of the undersigned, and as custodian to hold in the Account all such moneys, stocks, bonds, other securities and other property as shall be deposited with and accepted by you for the Account, upon and subject to the terms and provisions herein contained:

1. The Account and the agreement evidenced hereby shall terminate:

A. Upon the delivery by you of all property in the Account to or upon the order of the undersigned or the duly authorized representatives of the undersigned; and you agree to make such delivery on demand, provided however, that you are fully protected by the compliance of the undersigned, or of such representatives, with all applicable provisions of law and of governmental regulations issued thereunder.

B. Upon 10 days' notice given by you to the undersigned or to the duly authorized representatives of the undersigned by registered mail. If the undersigned or duly authorized representatives of the undersigned shall fail for 10 days after the mailing of notice of termination of the Account to accept delivery of and receipt for the property then in the Account, you are authorized to deliver the same by registered mail, insured for its then market value as determined by you in your discretion, to the undersigned or to such duly authorized representatives of the undersigned at the address of record, and, when such property has been mailed as aforesaid, you shall have no further accountability or responsibility therefor or in respect thereof. The cost of mailing and insurance and any taxes or reserves for taxes required in connection with such delivery may be withheld by you and charged to the Account.

2. You are authorized and empowered to collect all income becoming due and payable in respect of property in the Account and to make disposition thereof as follows:

X Credit the checking account of the undersigned at Empire Trust Co. 50 Pine Street, New York, N.Y.

Remit to the undersigned periodically on _____

Hold in your Trust Department subject to further instructions (not subject to withdrawal by draft or check.)

All sums collected or received by you in respect of property in the Account, except payments at maturity or upon redemption or liquidation of securities, shall be regarded by you as income for the purposes hereof.

3. The proceeds of the sale of any property in the Account or of the redemption or other payment of any securities in the Account and charges for the purchase of stocks, bonds or other securities and other principal items (including, without limitation, redemption premiums) are to be credited or debited, as the case may be,

to the checking account of the undersigned at Empire Trust Company

X to the account in your Trust Department subject to further instructions (not subject to withdrawal by check or draft)

All necessary authority to effect such credits and debits is hereby given.

4. You are authorized and empowered to exchange stocks, bonds or other securities in temporary form for like securities in definitive form when and as such securities in definitive form are ready for delivery. You are further authorized and empowered to surrender stocks and bonds or other securities at maturity or when called for redemption, upon receiving proper payment therefor; provided, in the case of redemption of securities, that notice of such redemption shall have been published in a recognized financial service, or given in accordance with the provisions of the securities redeemed relating to notice of redemption and received by you.

5. You are authorized and empowered to execute in the name and on behalf of the undersigned all such ownership or other certificates required in connection with the collection of income under any applicable tax laws or regulations of the United States now or hereafter in effect. The undersigned hereby certifies that the undersigned is a citizen of

the U.S.A., and a resident of Millbrook, New York subject and agrees to notify you immediately of any change in the citizenship or residence of the undersigned.

RECEIVED FROM TIA

Defendants' Exhibit 6 (Continued)

A-922

6. Stocks, bonds or other securities ordinarily registered are to be held by you

~~_____~~ in the name of the undersigned

~~_____~~ in the name of your nominee or nominees,

provided, however, that bonds shall be registered only if in registered form when received by you or in accordance with specific instructions of the undersigned. If at any time any securities in the Account shall be registered in the name of your nominee or nominees, the undersigned agrees to indemnify and save harmless you and such nominee or nominees from any liability as a record holder thereof. It is further agreed that you may refuse to permit any particular stocks, bonds or other securities to be registered in the name of your nominee or nominees, or may at any time in your discretion without notice to the undersigned transfer or cause to be transferred any securities in the Account from the name of your nominee or nominees to the name of the undersigned.

You are further authorized to charge to the Account all taxes and other expenses incidental to any transfer to or from the name of your nominee or nominees.

7. The undersigned agrees to pay you as compensation for your services hereunder a fee computed in accordance with the schedule of fees hereto attached, and you are authorized and empowered to charge the Account with the amount of your fee semi-annually on or about December 31st and not in advance

8. For preparing annual income tax returns or statements of income classified for income tax purposes, including profits and losses on security transactions, you are authorized to make a charge based upon the actual work involved.

 Prepare returns.

 Prepare classified tax statement.

X Service not desired.

(It is understood that the minimum charge for the preparation of tax returns will be \$ and for the preparation of classified tax statements will be \$.)

9. Securities held in the Account shall be kept safely by you subject to the instructions of the undersigned or the duly authorized representatives of the undersigned, and you assume and undertake full responsibility in respect thereof for any loss to the undersigned resulting from theft or embezzlement, or the negligence of any of your employees, servants or agents; it being understood that you shall not be in any way liable or accountable for or in respect of any loss resulting from the payment from the Account of any estate, gift or other taxes or imposts asserted thereagainst by any state or sovereignty, or from execution, distraint, attachment or other process, or from military or usurped powers, riot or civil commotion, or earthquake or convulsion of nature.

10. You are authorized and empowered, whenever you deem it expedient to do so by reason of any circumstances affecting the Account, to consult with your counsel in respect of the Account and to retain counsel and appear in any action, suit or proceeding affecting the Account, or any of the property held therein, to which you may be made a party. All attorneys' and counsel fees so incurred shall be for the account of the undersigned, and you are authorized to charge the amount of such fees to the Account. You shall not be under any obligation to defend or engage in any legal proceedings with respect to the Account or with respect to any of the property held therein unless fully indemnified to your satisfaction.

11. Except as hereinbefore set forth, disposition of securities in the Account shall be made by you only upon written instructions furnished to you signed by the undersigned or by the duly authorized representatives of the undersigned, or upon instructions transmitted to you by telegraph, cable or radio in which there shall be included a code word previously furnished by you. The inclusion of such code word in any telegraphic, cable or radio communication relating to the Account shall be accepted by you as conclusive evidence of the authenticity thereof. You shall incur no liability or accountability whatsoever by reason of your acting thereon without further inquiry; and the undersigned agrees to indemnify you and save you harmless from and against any and all loss, damage, liability and claims whatsoever arising by reason of any wrongful use of the code word so furnished.

Instructions of the undersigned or of the duly authorized representatives of the undersigned, including (without limitation) instructions for the purchase or sale of stocks, bonds or other securities and other property, shall, unless

Defendants' Exhibit 6 (Continued)

A-923

they shall otherwise provide, remain in full force until revoked or cancelled by further instructions of the undersigned or of the duly authorized representatives of the undersigned.

The undersigned for himself, his heirs, executors, administrators and assigns agrees that you shall be fully protected in taking action upon any such instructions even though the undersigned should die or become incompetent prior to the taking of such action.

12. Special Instructions: binding under testamentary, principal and

income monthly. Under separate statement some amount
from Dec 30. Some amount of termination is and
when occur

13. Any notice or other communication from you relating to the Account shall be sufficiently given and shall be binding upon the undersigned if delivered by messenger or mailed, postage prepaid, addressed to the undersigned at the address of record. The first address of record is set out below the signature of the undersigned hereto, and is subject to change only upon the instructions of the undersigned or the duly authorized representatives of the undersigned given in the manner hereinbefore specified in paragraph 11.

14. The meaning of the term "duly authorized representatives", as used herein, shall include executors, administrators and agents, of whose appointment and authority proper evidence shall be furnished to you.

15. It is mutually agreed that the validity, performance and interpretation of the terms hereof, and any question or obligation arising out of the relationship hereby created, shall be governed by the law of the State of New York.

Dated December 24, 1948.

Very truly yours,

Candace Van Allen

Address of record: Millbrook

New York

ACCEPTED:

Empire Trust Company

By W. B. Brown
Authorized Officer

RECEIVED FROM THE
OFFICE OF THE
CLERK OF THE COURT

Schedule of Fees
for
CUSTODY OF SECURITIES



1947

Empire
Trust Company
NEW YORK

RECEIVED
JAN 10 1947
NEW YORK

**SCHEDULE OF FEES FOR
CUSTODY SERVICES**

FOR HOLDING STOCKS:

- ✓ 5 ¢ per share per annum on the first 5,000 shares
- 2½¢ per share per annum on all over 5,000 shares

FOR HOLDING BONDS:

- ✓ \$1.00 per \$1,000 per annum on the principal amount of bonds up to \$500,000
- .75 per \$1,000 per annum on the principal amount of bonds on the next \$500,000
- .50 per \$1,000 per annum on the principal amount of bonds over \$1,000,000
- .25 per \$1,000 per annum on the principal amount of government bonds and registered bonds in denominations of \$10,000 or over

The following minimum fees have been established for holding securities in custody accounts for one year or any part thereof:

Accounts of individuals, partnerships or corporations	\$ 50
Accounts of fiduciaries	\$100

Provided that the fee for any custody account shall not be less than it would be if it were computed on a basis of \$2.50 for each security issue held.

The foregoing fees include semi-annual statements of securities held. Any additional statements will be furnished upon request at a charge of \$2.50 for each additional statement.

SUPPLEMENTARY CHARGES:

For receiving or delivering securities with or without draft attached against payment or against receipt, or for effecting transfer, registration, subscription, or exchange of securities, a minimum charge of \$1.50 per transaction will be made for each security issue involved.

For effecting transfer of securities to or from a fiduciary name, or transfers requiring documents, a minimum charge of \$5.00 will be made for each transfer.

The term "Security" as used in this schedule means stocks, bonds, rights and script warrants, whether in temporary or permanent form, and all other negotiable or non-negotiable paper commonly known as securities in banking custom or practice.

**FEES FOR OTHER SERVICES,
AS INDICATED BELOW,
WILL BE QUOTED UPON REQUEST:**

1. Preparing annual income tax returns or statements of income classified for income tax purposes, including profits and losses on security transactions.
2. Supervising investments.
3. Acting as treasurer or assistant treasurer of charitable, religious or other corporations, including the keeping of books and records.
4. Performing special duties such as maintaining records, paying bills, salaries, etc.
5. Preparing special statements showing market prices, or other reports requiring research work.

Bank of New York

DEFENDANTS' EXHIBIT 7

A-926

**Empire Trust Company Internal Form, dated
January 12, 1949, re Candace Van Alen's
Custody Accounts**

Exh 4

**Empire Trust Company
PERSONAL TRUST DEPARTMENT
Custody Section**

D. F. E. 7
Account No. 99835-2

Account **Candace VanAlen (Mrs.)** (92-9835)
* **CANDACE VAN ALLEN, LIEN ACCOUNT (92-9839)**

Date **Jan. 12, 1949...**

- ☒ Custodian Appointment dated Dec. 24, 1948
☐ An Empire Trust Company Estate or Trust
☐ Supervisory Investment Account
☐ Coupons deposited for Custody and Collection
☐ Escrow

Office (**U**)

(Use back of this sheet for brief synopsis and important dates.)

**AUTHORITY AND INSTRUCTIONS dated 12/24/48 on file in Custody Documents
as to administration of account are briefly as follows:**

*Investment Authority given to Mrs. Paul B. de Gue
under date of April 29, 1953.*

*SCRIP - Round out
both sides*

* *Candace Van Allen, LIEN A/C - HOLD INCOME - (revised 1/2/57) - # 99839-2.*

**Re. LIEN ACCOUNT: IN ORDER TO WITHDRAW SECURITIES OR CASH, SIGNATURES
(See Memo. 12/29/50) OF BOTH MRS. VAN ALLEN AND MR. VAN ALLEN REQUIRED.**

Signatures of **above** on file in Custody Documents

Securities to be registered or held in name of **Bosworth & Co.**

Nominee **Yes**

Ownership certificates to be filed ☒ U. S. Citizen Tax Status... **New York State.**
☐ Alien

**RECEIVED FROM THE
NEW YORK**

Disposition of.....*Income

Principal

**CREDIT
OR
CHARGE**

- | | |
|---|-------------------------------------|
| Trust Ledger | ☒ |
| Estates and Trust Ledger | ☐ |
| Checking Account | ☐ |
| ☐ Main ☐ 5th Ave. | |
| Thrift Account \$ | ☐ |
| Check-o-Matic Account \$ | ☐ |

*Income - 7/1/57
by 2/1/57
revised 1/25/66
Principal - 1/25/66
revised 1/25/66
Principal - 1/25/66
revised 1/25/66*

Miscellaneous Cash Directions:

DEFENDANTS' EXHIBIT 14

A-928

Letter, dated April 3, 1970, from Candace Van
Alen to First National City Bank

April 3, 1970

First National City Bank
399 Park Avenue
New York, New York 10022

Att: Mr. Frank McMahon, Custodian Dept.

Re: Account No. 340153

Dear Sirs:

You have been operating the captioned custodian account for me subject to a power of attorney in favor of Mr. Paul de Give. I wish to terminate such power of attorney and will you therefore take this as your authority to terminate all power over the account for Mr. de Give.

Yours very truly,

Candace Van Alen
Candace Van Alen

Avalon
Newport, Rhode Island-

Man. 10/11 **EXHIBIT 25**
for identification
10/15/70
Jack Finn. Reporter

DEFENDANTS' EXHIBIT 25

A-929

Letter, dated September 21, 1962, from Mary
Grace Watson to Howard R. Fugh

Avalon, Ocean Avenue
Newport, Rhode Island
September 21, 1962

Mr. Howard R. Fugh
Vice President
Empire Trust Company
7 West 51st St.
New York, 19- N.Y.

Dear Mr. Fugh:

Enclosed you will find the signed note for \$25,000.00
and the signed authorization to place the securities under lien,
as well as the signed form to comply with Regulations "U" of
the Federal Reserve Board- all signed by Candace VanAlen.

On September 25th Mrs. VanAlen will issue a check
which will include the above mentioned twenty-five thousand
dollars. So will you please have this amount credited to her
checking account there at Empire Trust Company? The checking
account number is 9-325-12-8.

Thank you for giving this matter your attention.

Sincerely,

(*Ames*) *Mary Grace Watson*
Secretary to Mrs. VanAlen

encl.

11/14/62

RECEIVED
BANK OF NEW YORK

DEFENDANTS' EXHIBIT 27

**Letter, dated July 19, 1963, Paul deGivie to
Candace Van Alen**

A-930

Mr. Paul deGivie, Defendant
100 West 42nd Street
New York 36, N.Y.

July 9, 1963
7/9/63

RECEIVED FROM
MR. FRANK VAN DERKAMPE
100 ALBANY AVENUE
PORT WASHINGTON, NEW YORK.

56x49/53

PLEASE SIGN AND RETURN THE ATTACHED RECEIPT

YOUR NAME
SIGNATURE & ADDRESS
SIGN HERE

RECEIPT 2

DEPT
EXHIBIT 27
#9 7/9/63 ✓ W.B.

July 19, 1963

Mr. Paul deGivie
100 West 42nd Street
New York 36, N.Y.

Dear Sirs:

I have your letter of July 18th about your
loan at the Empire Trust Company.

For my recall that we put a loan of
\$175,000 against your securities in the first instance,
and in 1962, we put the other \$175,000.

In the past few weeks I have paid off the
loan by selling securities and have taken some very
substantial long term capital gains for you.

As you have your interest charges on
substantial capital gains, my income tax purposes
but you will have to make a dividend payment received
on the stocks held during that time.

Sincerely,

Paul deGivie

cc'd

Mr. Paul deGivie
100 West 42nd Street
New York 36, N.Y.

RECEIVED FROM
MR. FRANK VAN DERKAMPE
100 ALBANY AVENUE
PORT WASHINGTON, NEW YORK.

PLEASE SIGN AND RETURN THE ATTACHED RECEIPT

YOUR NAME
SIGNATURE & ADDRESS
SIGN HERE

RECEIPT 2

TEL. 875-1234 C. 875-1234

DEFENDANTS' EXHIBIT 28

Loan Offering Sheet, dated Sept. 22, 1965, re
Proposed \$200,000 Loan to Candace Van Alen

A-931

LOAN OFFERING SHEET

APPROVAL
REVIEW

X

NAME: CANDACE VAN ALEN

DATE: 9/22/65

ADDRESS: "Penny Pond"
Greenvale, Long Island, N. Y.

RECOMMENDED BY: F. E. Reed

BUSINESS:

RATE: 5% FEE/SERVICE CHARGE: None

PROPOSAL: \$200,000 secured one year loan.

Collateral is represented by her entire custody account valued as of 9/20/65 at \$689,300 and invested in good grade well diversified listed securities. In addition, we will receive as the collateral the \$200,000 worth of listed securities which she is purchasing.

TOTAL COMMITMENT ETCO: \$ 200,000
(Includes Proposed Am't.)

PURPOSE: Purchase listed securities.

REPAYMENT: From sale of securities within one year.

ETCO. RELATIONSHIP: DATE OPENED: 11/10/48
(OOO Omitted)

<u>ECFROWINGS:</u>	<u>CURRENT</u>	<u>L/C</u>	<u>ACCEPTANCES</u>	<u>TERM</u>	<u>RELATED (Agg.)</u>
High *	\$ 200.0	\$	\$	\$	\$ 1.8
Low *	\$ -0-	\$	\$	\$	\$ 1.1
Present Outstanding	\$ -0-	\$	\$	\$	\$ 1.1

<u>BALANCES:</u>	<u>COMPANY</u>	<u>RELATED: (Agg.)</u>	
Last 12 Mos. :	\$14.3	\$152.9	12 Months Balance to Loans: 14.3%
Last Month :	\$ 4.8	\$151.8	12 Mos. Agg. Bal. to Agg. Loans: 165.15

TOTAL BANK LINES: \$
TOTAL BANK DEBT: \$

Defendants' Exhibit 28 (Continued)

A-932

COMMENTS:

Total fees received in 1964 on the various Van Alen trust accounts were \$996.93. We have made similar loans to Mrs. Van Alen over the past several years and all have been handled to our satisfaction.

RECOMMENDATIONS:

REVIEWED BY

LOAN COMMITTEE

SEP 22 1965

REVIEWED BY

LOAN COMMITTEE

SEP 22 1965

APPROVED BY:

Last 12 month period

SEP 11 1965

DEFENDANTS' EXHIBIT 70

A-933

Office Memorandum, dated June 15, 1967, to
Loan Department from L. Clark, Jr.

Defs.' Ex. 30 id.

OFFICE MEMORANDUM

DATE: *File 44560*
72-9835
ML
5/15/67

DEPT: 7 West 51 Street

FLOOR:

TO: Loan Dept.

FROM: L. Clark Jr.

RE: FAO Custody - Candace Van Alen 92-9335

Before Mrs. Van Alen left for Europe, she asked us in a telephone conversation to increase her loan by \$100,000, the money to be used to buy stocks at the discretion of Mr. Paul de Giva of Dominick and Dominick. As she was leaving the day after her conversation, loan papers were mailed to her at her hotel in The Hague, Holland.

Last week Mr. de Giva bought stocks which will require most of the funds made available by the additional loan. Therefore, if the signed note has not been received please consider this as your authority to increase the loan by \$100,000 crediting principal of Mrs. Van Alen's custodian account. The credit should be made at 20 Broad Street.

Please telephone me when this has been done and I will send a new set of loan papers to Mrs. Van Alen after ascertaining her present whereabouts from her secretary in Newport.

LC:MF

L. Clark Jr.

DEFENDANTS' EXHIBIT 31

The following papers -- 31-A through 31-F --
are internal documents of Bank of New York re-
lating to Candace Van Alen loans at Bank of
New York in 1967 and 1968.

DEFENDANTS' EXHIBIT 31-A

A-935

Memorandum re Loans to Candace Van Alen on
January 13, 1967, May 15, 1967 and April 15,
1968

LOANS

Defs.' Ex. 31(A) id.

NAME: Candace VanAlen

ACCOUNTS: Deposit account with her husband, James, opened 4/25/56. Her husband also has an account entitled No. 2 Account which opened 12/31/48

OCCUPATION: Housewife

SPECIAL COMMENTS:

LOANS:

DATE	AMOUNT	RATE	MATURITY	PURPOSE	TOTAL DUT	COLLATERAL
1/13/67	\$200,000	6 1/2%	Demand	Investments	\$225,000	Stock
5/15/67	\$100,000	6 1/2%	Demand	Investments	\$325,000	Stock
4/15/68	\$300,000	6 3/4%	Demand	Stock Options Loans, Purchase of Securities	\$300,000	Stock & Bonds

RECEIVED
MAY 16 1968
CREDIT DEPT.
UPTOWN OFFICE

RECEIVED

MAY 16 '68

CREDIT DEPT.
UPTOWN OFFICE

Defn.' Ex. 31(B) id.

CLASSIFIED ☐ BY	AFFILIATIONS	BORROWER	SOURCE
EX-000000 ☐			
JUL 1968 5:51 PM		CROONCE Van Allen	CLASSIFIED

DATE	RATE	AMOUNT		BALANCE	CONSISTING OF
		DEBIT	CREDIT		
OCT 22 1963 4/2/65	6 3/4	300.00	300.00	300.00	546 300.00

Defendants' Exhibit 31-B
Loan Liability Ledger A-936

Form, dated April 15, 1968, entitled
"Demand Loan"

Def's. Ex. 31 (C) id.

 F-2
DEMAND LOAN

GROUP NO. 5 + B

DATE 4/15/68

AMOUNT \$ 300,000.00

RATE $6\frac{3}{4}\%$

COLLATERAL VALUE \$ 385.000

APPROVED BY W. H. (S, S^r ST.)

MARGIN REQUIRED

LOAN TO Candace Van. Allen

NAME & ADDRESS Mrs. James H. Van Allen
(FOR MAILING)

(FOR MAILING)

Avalon Ocean Avenue

newport, Rhode Island 02840

SPECIAL INFORMATION

ENDORSED ☐ BY
GUARANTEED ☐

4456-2

41-9874

COLLATED:

	VALUE
\$6,000 Baltimore, Md. 17 th School Loan 4/25/72	
\$50,000 Baltimore, Md. 6 th Rec. Bond 11/15/77	
\$20,000 Eastman, Conn. Imp. Bd. 12/27/73 11/1/77	
\$10,000 Eastman, Conn. School Bd. 4/25/72 11/1/77	
\$145,000 Eastman, Conn. Sewer Bd. 4/25/72 11/1/77	
\$100,000 City of Los Angeles Elec. Plant 3 rd Bond 4/1/72 - 12/1/72	

A-938

GROUP NO. 53

CURRENT LOAN

DATE 4-15-62

AMOUNT \$ 300,000—

RATE $6\frac{3}{4}\%$

RATE CHANGED

FROM **7**

MARGIN REQUIRED 1/2"

NAME & ADDRESS Avalon, Ocean Grove
(FOR MAILING)

Weymouth, Rhode Island

715-9871

ENCLOSED ☐ 27
 QUANTIFIED ☐

SECRET

2125

44560

[illegible]

DEFENDANTS' EXHIBIT 31-D

Form, dated October 22, 1968, entitled
"Demand Loan"

A-939

Defr.' Ex. 31(D) id.

DEMAND LOAN

GROUP NO. 54B

CASHIER: LOAN!

DATE: 4/15/68

AMOUNT \$ 300,000.00

DATE: 6/3/42

COLLATERAL: \$ 385,000

APPROVED BY H.H. (51st St.)

CURRENT LOAN:

DATE 10/23/64

AMOUNT \$ 300,000

RATE 6 7/8 %

RATE CHANGED

FROM . 7

MARGIN REQUIRED

LOAN TO Constance Van Allen

NAME & ADDRESS Mrs. James H. Van Allen
(FOR MAILING)

(FOR MAILING)

Avalon, Ocean View

Newport, Rhode Island Airtel: Hilda M. C. Watson

SECRET

ENDORSED

BY

GUARANTEED

5

44560

[illegible]

DEFENDANTS' EXHIBIT 31-E

A-940

Statement of Purpose of the Proceeds of a Stock-Secured Extension of Credit By a Bank (Federal Reserve Form U-1), dated April 15, 1968, and signed by Candace Van Alen

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

STATEMENT OF PURPOSE OF THE PROCEEDS OF A STOCK-SECURED EXTENSION OF CREDIT BY A BANK (FEDERAL RESERVE FORM U-1)

A FALSE OR DISHONEST STATEMENT BY THE CUSTOMER OR THE OFFICER OF THE BANK ON THIS FORM MAY BE PUNISHABLE BY FINE OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 703, AND TITLE 18, SECTION 1001).

Please print or type (if space is inadequate attach separate sheet).

I (we), Candace Van Alen, have applied for an extension of credit from
(name(s))

The Bank of New York in the amount of \$ 300,000.00 secured in whole
(name of bank)
or in part by stock as follows:

Part I. Stock Collateral

Stock (If convertible by bank)	Number of shares	Source of valuation	Market value (in \$)	Source of valuation	Market value (in \$)
Baltimore, Md. 17th School Bond	4.20% due 10/15/78		\$300	Traders	
Baltimore, Md. 3rd Recreation & Park Bond	4-3/4% due 10/15/78		\$500		
Baltimore, Md. 6th Recreation & Park Bond	4.20% due 10/15/77		\$500		
Easthaven, Conn. Imp. Bond of 1967	4.30% due 11/1/68		\$200		
Easthaven, Conn. School Bond	4.30% due 12/1/68		\$500		

Part II. Other Collateral

Source of valuation	Market value (in \$)	Source of valuation	Market value (in \$)
Easthaven, Conn. Sewer Bond 4.30% due 11/1/68	\$1,000		
City of Los Angeles Electric Plant 3rd Rev. 4-1/4% due 12/1/82	\$1000		
Total	\$2,000	Total	\$

Total amount of credit granted \$ 300,000

Defendants' Exhibit 31-E (Continued)

A-941

Part III.

1. The proceeds of this credit are to be used for The purchase of listed securities
(describe in detail)

2. I (we) have owned the stock collateral securing this credit continuously for (check one)

☐ six months or more

☐ less than six months.

I (WE) HAVE READ THIS FORM AND HEREBY CERTIFY AND AFFIRM THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THE STATEMENTS REQUIRED OF ME (US) ARE TRUE, ACCURATE, AND COMPLETE.

Manual signature of customer (s):

DATE 4/15/68

(SIGNED) Constance Van Allen
(Print name under each signature)

Avalon
(Street address)
Newport, Rhode Island
(City, state)

Part IV.

TO BE COMPLETED BY BANK

1. State amount of any other credit extended to the customer(s) (a) secured in whole or in part, directly or indirectly, by any portion of collateral listed in Parts I and II: \$ 1 1/2 and (b) unsecured credit in excess of \$5,000 in the aggregate \$ no
2. Is the collateral listed in Part I to be delivered or has the collateral been delivered from a bank, broker, dealer, or a person other than the customer? No Against payment? No

I HAVE SUPPLIED THE INFORMATION REQUIRED OF THE BANK AND ACCEPT THE CUSTOMER'S STATEMENT ON THIS FORM IN GOOD FAITH AS DEFINED BELOW.* I AM FAMILIAR WITH THE PROVISIONS OF REGULATION U.

DATE 4/15/68

(SIGNED) [Signature]
(Print name and title of signing officer under signature)

(Name of bank)

* Regulation U requires that the customer's statement on this form be accepted by an officer of the bank acting in good faith. Good faith requires that such officer (1) must be alert to the circumstances surrounding the credit, and (2) if he has any information which would cause a prudent man not to accept the statement without inquiry, has investigated and is satisfied that the statement is truthful.

This form must be retained by the bank for at least six years after the termination of the credit.

Form entitled "Liability of Candace
Van Alen"

Condaco Van Allen

Defn.' Ex. 31(F) id.

3054

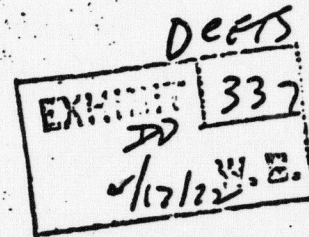
Date	Due Date	Rate	D/b'to	Credit	Total Liability	Demand Secured	Time Secured	Own Note	Notes Receivable	TOTAL LIAB OWN MON SECURED
IV 14 1963	12/24/62	5	NIGHT FORWARD		2500 -		2500 -			
I 18'63 MAR	25'63	5		25,000.00	25,000.00		25,000.00			
V 17'63 MAR	25'63	5		100,000.00	125,000.00		25,000.00			
I 22'63 MAR	25'63	5			119,500.00		19,500.00			
V 26'63 JUN	25'63	5		119,500.00	119,500.00		19,500.00			
V 15'63 JUN	25'63	5		60,000.00	179,500.00		179,500.00			
N 25'63 SEP	25'63	5		179,500.00	179,500.00		179,500.00			
R 10'63 SE	25'63	5		100,000.00	79,500.00		79,500.00			
R 25'63 SL	25'	5			.00		.00			
R 9'64 AF	9'	5			200,000.00		200,000.00			
R 10'64 AF	9'65	5			.00		.00			
P-3'64 SE	3'65	5		200,000.00	200,000.00		200,000.00			
R 19'65 SEP	3'65	5		110,000.00	90,000.00		90,000.00			
R 24'65 SEP	3'65	5		50,000.00	.00		.00			

A-942

DEFENDANTS' EXHIBIT 36

A-943

Letter, dated September 10, 1954, Paul deGive
to Mrs. James H. Van Alen



September 10, 1954

Mrs. James H. Van Alen
Avalea
Ocean Avenue
Newport, Rhode Island

Dear Gandy:

I have your letter of August 19 which came during my vacation.

By this time you have received advice from the Empire Trust Company to the effect that they purchased 68/100th of a share of Caterpillar Tractor for your account.

Our summer has been a very busy one with one hurricane and another approaching so that we have had very little opportunity to get away. From the publicity about Newport and your husband you must have been having a very active summer yourself.

My basic money data continues to be quite optimistic about the market and I see no reason to get too disturbed as yet. If you come to New York let me know and we can have a further chat. My best to Jimmy.

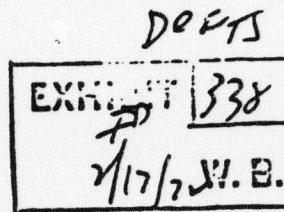
Sincerely,

7244:22

DEFENDANTS' EXHIBIT 37

A-944

Letter, dated January 18, 1955, Paul deGive
to Mrs. James H. Van Alen



January 18, 1955

Mrs. James H. Van Alen
Hotel Comodore, Apt. 21
Plaza de la Republica de Argentina
Madrid, Spain

Dear Candy:

I have your letter of January 9 asking about the market and whether or not I have taken any profits. A short while ago I sold some of your General Electric and Minneapolis Honeywell, and reinvested some of the proceeds in some Oils. However, I have done no major selling in your accounts as yet.

My basic money drive continues bullish and this selloff after the increase in margins has placed the market in an oversold condition. It should do somewhat better from here out.

I am looking forward to seeing you and Jimmy on your return.

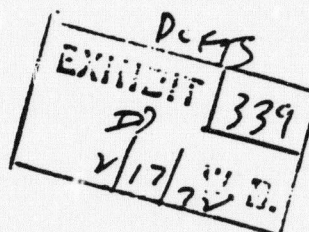
Sincerely yours,

PdsG:EM

DEFENDANTS' EXHIBIT 38

A-945

Letter, dated June 15, 1955, Paul deGive
to Mrs. James Van Alen



June 15, 1955

Mrs. James Van Alen
Claridge Hotel
London, England

Dear Candy:

I have your letter written from Hong Kong inquiring about the sale of 100 shares of Allied Stores and reduction of loan against Lehigh Valley Railroad stock.

Before you left it was my understanding you approved my selling stocks if and when I thought they were getting too high. Accordingly, during the past month I have sold a portion of the Lehigh Valley Railroad stock around 24, to be specific 1400 shares, leaving 1600 of the original 3,000 share holding, and have invested the funds in municipal bonds.

In your account at the bank I have sold a total of \$70,000 worth of common stocks, principally steels, and have invested those funds in municipal bonds.

The market is presently at 442 in the Dow Jones Industrial Average, about in line with our discussion before you left and very close to the figures at which I thought it would top out, namely 450-460. As it continues to advance I will continue to sell more securities.

This action is predicated on the complete turn down in all of my money data which has been so bullish since the fall of 1953 and which is now signaling a worthwhile decline in the stock market.

I am sending a copy of this letter to Miss Watson along with the papers which you sent to me.

Sincerely yours,

PdeG:EM

DEFENDANTS' EXHIBIT 39

A-946

Letter, dated June 5, 1955, Candace Van Alen
to Paul deGiv

BETWEEN THE LINES
BY

JAMES AND CANDACE VAN ALEN
TRISTAR PUBLICATIONS, OLYMPIA, WASH.

Requiesce Day Hotel

Haystack

5 June 1955

Dear Paul.

The enclosed caught up with me in
Taipei - Wilson sent it on to me - Did you
know about this? If not, how did the
Bank happen to sell it - and do you approve?
I realize you cannot write me all this while
as you shall be en route home - but you can
look into it anyway - in case you don't
already know about it.

Also the Bank took some money
from sale of stock to pay off a loan which
I was - Jimmy and I are annoyed as well as
nervous such a thing - There was an old order
mist, from the time we sold the first batch
stock - but it was not to apply for it - Since
they acted so strangely over the \$10,000 you
were supposed to be given to interest (and
they let it remain a no job making some
money to you) - and now this paying off of
loan - I am wondering just what the sale
of the Oldie Stock Corp is - and what the
purpose - I am having a fascinating
time - From a very old collection -

instructing and not at all passive. -
 We plan to be home by July 6 - I think
 you want me perhaps from 10:00 on and tell
 me where we shall be - Otherwise I'll
 to Chicago's office - would like some
 made an about July first.

Hope Anne and the children are fine and
 again - mine you! I am best to you both -

Love -

P.S. Would you please send the papers on back to Chicago.

DEFENDANTS' EXHIBIT 40

A-948

Letter, dated June 7, 1962, Candace Van Alen
to Paul deGive

#13 (n)

6/7/62

Deets

EXHIBIT

340

5

५/१२/११

XV. B.

2) that I need \$21,000 Twenty-one thousand
dollars) this week. It is not in the
hands of W. W. Atterbury Jr., of the Vice of
First National Bank in Palm Beach. we have
them Friday, June 15th.

I have written him with all details.
Now if you have \$21,000 cash - all is well.
I suggest you please deposit that amount to
my account at the National City Bank.
57th St. and Park Ave. His name has
a check for \$21,000.00.

- accepted by me for that amount since
- in the 2002 account lines:

Now, if you have bought stocks and have the cash on hand, and find it is foolish to sell that amount now, then I would like to borrow the money from the Empire Trust Co. using some of that stock as collateral. Can you please arrange that? with Miss Watson's help if necessary. She has a note from me authorizing a loan if it is necessary.

I am sorry to bother you with this,
but, dear Paul, you have all my 30-ci-mi.

Van A. EN AVALON NEWPORT RHODE ISLAND

7 June - 1962

18 Main Street

Cambridge, England

Dear Paul:

Hope you are in the mood to write
about the recent's progress... and that
you will be able to send me some
is a bit difficult to get the track on it.

As you remember I had a letter from
you in the summer of 1961. I told you
it was a bit difficult to get the track on it.
I hope you will be able to send me some

13

2) We shall be here at Cambridge about
20 June - where I intend to stay.
(Hill Ritz) until end of June - I plan
to be here by July 10th. Perhaps Tuesday
will be back earlier - (by June 25) but
he is not sure of his plans - but we know
what you feel his best happenings are
happening, going to happen - and since
you have the time - and need some
days to write on this subject
Newport - come to you and I'll

3) I have to leave for a friend
letter of request to you from me if you wish it
or you like.

4) That I need \$1,000 (Twenty-one thousand
dollars) this week. It is sent to me by
check of W. W. Atterbury Jr., to the order of
First National Bank in Palm Beach. no later
than Friday, June 15th.

I have written Miss Watson all details.
Now if you have \$1,000 cash - send it in mail.
I suggest you please deposit that amount to
my account at the National City Bank.
575 St. and Park Ave. Miss Watson has
a check - ~~for the amount of \$1,000~~
- signed by me for that amount drawn
on the B.N.B. account there.

Now, if you have bought shares which
have no cash on hand, and find it im-
possible to sell that amount now, then I
would like to borrow the money from
the Empire Trust Co. assuming some of
that stock as collateral. Can you please
arrange that, with Miss Watson's help
if necessary. She has a note from me
authorizing a loan if it is necessary.

I am sorry to bother you with this,
but so far, you have all my \$1,000.

#13

but, Dear Paul, you have all my love

3) We shall be here at Cambridge until
20 June - when I return to Madrid -
(11-25 E.T.) until end of June. I plan
to be away by July 10th. Perhaps Friday
will be back earlier - (by June 25) but
he is not sure of his plans - but we know
what you feel has been happening is
happening, going to happen - which means
you have the time - and some more
days to come visit us this summer in
Newport - Love to you and Shil,

P.S. Miss Wilson has a journal. Condy -
letter of request to you please and if you need it
for your files. C.

VAN ALLEN AVALON NEWPORT RHODE ISLAND

7 June - 1962

15 Malabar Street

Cambridge, England

Dear Paul:

Hope you are not too much worried

about the situation in the world

3) - we shall be here at Cambridge about
20 June - when I return to Harlow.
(Kob bite) until end of June. I plan
to be home by July 10th. Perhaps Trine
will be back earlier - (by June 25) but
he is not sure of his plans - but we know
what you feel has been happening in
happening, going to happen - perhaps even
you have the time - and now we
begin to see what this means in
Nassau - and to you and this.

DEFENDANTS' EXHIBIT 42

A-949

Letter, dated November 19, 1968, Paul deGive
to Mary Grace Watson

Defs. Ex. 42 id.

#19(2)

TT

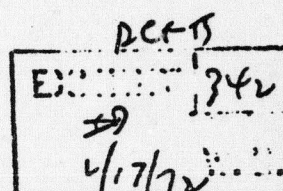
DOMINICK & DOMINICK,

INCORPORATED

14 WALL STREET
NEW YORK, N.Y. 10005

CABLE ADDRESS
DOMIX

P.O. BOX 125
WALL STREET STATION



November 19, 1968

Miss Mary Grace Watson
Avalon, Ocean Avenue
Newport, Rhode Island 02840

Dear Miss Watson:

I have your letter of November 18 regarding the lag between the sale of securities and the repayment of loans for Mr. and Mrs. Van Alen at the Bank of New York in that sales were completed on October 29 and the loan was not paid until November 12.

As you know, stock exchanges are closed on Wednesdays and there are some delays in clearing in the street which you have heard about in the papers. The loans could not be paid until the securities were actually paid for.

Sincerely,

Paul deGive

Paul deGive

PdG:cf

DEFENDANTS' EXHIBIT 43

A-950

Letter, dated April 3, 1970, Candace A. Van
Alen to Dominick & Dominick, Inc.

April 3, 1970

First National City Bank
399 Park Avenue
New York, New York 10022

Att: Mr. Frank McMahon, Custodian Dept.

Re: Account No. 340153

Dear Sirs:

You have been operating the captioned custodian account for me subject to a power of attorney in favor of Mr. Paul de Give. I wish to terminate such power of attorney and will you therefore take this as your authority to terminate all power over the account for Mr. de Give.

Yours very truly,

Candace Van Alen

SLF:EC

DEFENDANTS' EXHIBIT 44

A-951

Letter, dated August 13, 1969, Paul deGive to
Candace Van Alen

DEF CV. 44

Ex 345

CABLE ADDRESS
DOMIX

DOMINICK & DOMINICK.
INCORPORATED
14 WALL STREET
NEW YORK 5, N.Y.

P. O. BOX 125
WALL STREET STATION

August 13, 1969

Dear Candy:

I am enclosing a list of your assets at the Bank of New York and you will note from the recapitulation which I am enclosing how your account stands at this time. Your account here at Dominick & Dominick naturally has been in cash for some months which is invested in treasury bills yielding over seven percent. Fortunately, as a result of the sales in May and June, we have avoided the big decline in the stock market and your assets still remain at a high level.

For goodness sakes, if you have any thoughts which you would like to talk to me about you can call me as I am in the office Monday, Tuesday, Wednesday, and Thursday each week. My best to Jimmy.

Very truly yours,

Paul deGive
Paul deGive

PDG:at
Enc.

*why did you
buy in in the
first place
last April. May*

*and why did
we buy in
in Oct. Nov. 1968
for 10 days!!*

DEFENDANTS' EXHIBIT 45

Letter, dated November 20, 1969, Paul deGive
to Mrs. James Van Alen

A-952

DEF EX 45

ex 316

CABLE ADDRESS
DOMIX

DOMINICK & DOMINICK,
INCORPORATED
14 WALL STREET
NEW YORK, N.Y. 10005

P.O. BOX 125
WALL STREET STATION

November 20, 1969

Mrs. James Van Alen
c/o Bucks Club
18 Clifford Street
London W.I., England

Dear Candy:

Your letter of November 12 was received and I just want to tell you that a week or so ago at the top of this rally I did take some short term profits for you to offset some of the short term losses which we took earlier this year.

While it is true that things are looking quite discouraging here at the present time, it should be remembered that such psychology is required to form an important bottom in the general market. The indicators are pointing to a year end rally at which time we will take another look at the market.

Kindest regards,

Paul deG

DEFENDANTS' EXHIBIT 46

Letter, dated October 14, 1968, Mrs. James H.
Van Alen to Bank of New York, attention
Mr. Muecke

A-953

Def Ex 46

Avalon, Ocean Ave.,
Newport, R.I. 02840
October 14, 1968

Bank of New York
530 Fifth Avenue
New York, N.Y.

Atten: Mr. Muecke

Dear Mr. Muecke:

When I called this morning you were out but I spoke to your assistant regarding the enclosed, signed transmittal form. I have discussed it with Mr. DeGive, who told me to go ahead with this offer.

I am upset on the length of time that elapsed from October 4th, when the City Investment Company sent your Bank the information-- as nothing was forwarded to me until October 10th. Since all tenders must be received prior to 5 P.M. on October 14th, it was certainly very fortunate that I was home this week end. I hope you will check with whoever does the forwarding to insure that future correspondence will be sent on promptly.

With kind regards,

Sincerely,

(Mrs. James H. VanAlen)

DEFENDANTS' EXHIBIT 47

Letter, dated January 16, 1968, to Mrs.
James H. Van Alen

A-954

THE BANK OF NEW YORK

NEW YORK'S FIRST BANK - FOUNDED 1784 BY ALEXANDER HAMILTON

FIFTH AVENUE BANK OFFICE

530 FIFTH AVENUE, NEW YORK, N. Y. 10036

M. E. MUECKE
VICE PRESIDENT

January 16, 1968

Mrs. James H. Van Alen
Avalon
Ocean Avenue
Newport, Rhode Island

Custody A/C - Candace Van Alen Lien Account

Dear Mrs. Van Alen:

The current rates for the custody service of our Bank were revised in 1963, and applied at that time to all accounts. It is to be noted that these rates are directly correlated with the costs involved in endeavoring to provide the kind of service which we believe you desire.

Enclosed is a copy of the custody rates effective January 10, 1963. The schedule will be applied to this account effective from June 20, 1968, with the first semiannual charge to income December 20, 1968. It is estimated, based upon the securities presently held in the account that the initial semi-annual fee will be \$50, exclusive of any activity charges.

We thank you for maintaining this account and we realize that this is not a pleasant subject nor an agreeable letter to send. If you do have any questions, please do not hesitate to let me know.

Sincerely yours,

A. S. Cleveland
Vice President

Enclosure

DEFENDANTS' EXHIBIT 60

A-955

Letter, dated October 10, 1968, Mary Grace
Watson to The Bank of New York

VANALEN AVALON NEWPORT RHODE ISLAND 02840

October 10, 1968

The Bank of New York
Loan Department
7 West 51st St.,
New York, N.Y. 10019

Dear Sir:

I am writing at the request of
Mrs. Candace Vanalen regarding the current
rate now in effect on her loan.

Hasn't the rate of interest been
reduced from 6-3/4 % ?

Anticipating your reply.

Sincerely,

Mary Grace Watson
Mary Grace Watson, Sec'y.

RECEIVED FROM THE
BANK OF NEW YORK

WATSON

Letter, dated April 9, 1953, Gordon Murphy
to Paul deGive

COPY

Olin, Murphy & Redmond

120 BROADWAY

NEW YORK 5. N. Y.

9 April, 1953

Mr. Paul DeGive
Messrs. Dominick & Dominick
14 Wall Street
New York City, New York

Dear Mr. DeGive:

I forward to you enclosed herewith a list of the securities held in the custodian accounts maintained by Mr. and Mrs. Van Alen with Empire Trust Company.

There has been no attempt to differentiate as to ownership of the securities; some of which stand in Mr. Van Alen's name alone and some of which stand in Mrs. Van Alen's. In each case I have given you the date of purchase and the cost value of the securities when purchased and in some cases, as you will note, I have also given you the 1913 value where the securities were acquired long prior to that date. The costs and acquisition dates given to you are those that will be used for tax purposes on the sale of the securities, so that if you are making your calculations from the point of view of tax sales, these will be the values to use.

You also inquired of me as to the tax bracket that Mr. and Mrs. Van Alen fall into for tax purposes. On the basis of the 1952 income tax return when filing a joint tax return, Mr. and Mrs. Van Alen in the top bracket of their income are taxed at the 62% rate. As I told you before this is rather a flexible matter and a change, which I expect to take place this year, may bring them up to the 66% bracket or even higher.

I have not given you the acquisition values on Empire Trust Company as I do not have them and Mr. Van Alen does not recall them. I propose to trace through Empire Trust Company's stock books the dates of acquisition of this block and from use of those dates give you an appropriate cost and date of acquisition. When I get those figures I will forward them to you. On the two shares of Granby and the two shares of Standard Oil of New Jersey I am sure these came in some-

Defendants' Exhibit 84 (Continued)

A-957

Mr. Paul DeGive

-2-

9 April, 1953

where along the line as stock dividends. When or how I do not know and I think the difficulty of ascertaining that information is hardly worth the cost of the tax saving involved. I imagine for your purposes it is unimportant.

If there is any further information that you wish on this list, please let me know. A copy of this letter is being sent to Mr. Van Alen.

Very truly yours,

Gordon S. Murphy

OSM:jd
Enclosure

DEFENDANTS' EXHIBIT 98(A)Candace Van Alen, Chronological List of Transactions by Trade Date, 1964-1968, Combined Accounts at Dominick and Empire Trust/Bank of New YorkCANDACE VAN ALENCOMBINED ACCOUNTS AT DOMINICK AND EMPIRE TRUST/BANK OF NEW YORKCHRONOLOGICAL LIST OF TRANSACTIONS BY TRADE DATE1964-1968SOURCE:

1. Account at Dominick (D)-Monthly statements (Defendants' Exhibit 16) and "confirmation" slips (Defendants' Exhibit 17).
2. Account at Empire Trust/Bank of N.Y. (B) - Monthly statements (Defendants' Exhibit 18) and "advice" slips (Defendants' Exhibit 19).

Footnotes

* Dates of transactions in Dominick account are per statement (i.e., settlement date) converted to trade date by subtracting 4 business days.

- (1) Transaction appears on Empire Trust advice to Van Alen; monthly statement not available.
- (2) Transaction appears only in April, 1965 statement.
- (3) Transaction appears on corrected monthly statement for January, 1969.
- (4) Transactions listed for 12/20/68 appear only in December, 1968 statement.

Defendants' Exhibit 98(A) (Continued)

CANDACE VAN ALLEN

COMBINED ACCOUNTS AT DOMINICK AND EMPIRE TRUST/BANK OF N. Y.

1964						
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
1/07/64		(1) 800 Shs. (2) 500	Zenith Radio Magnavox	B B		\$ 60,082 19,652
1/19/64	300 200 500 400		Pan Am Pan Am Penn R.R. Richfield Oil	B B B B	\$ 9,215 6,118 20,572 26,182	
		300	United Aircraft	B		18,856
1/20/64*		500 500 200 212	Lockheed Aircraft North American Aviat. Eastern Air Lines United Air Lines	B B D D		18,347 26,060 6,282 9,682
1/21/64	400 600 500		Royal Crown Cola Royal Crown Cola Ashland Oil & Ref.	B B B	9,219 13,904 20,949	
1/22/64*	\$16,000		Gen. Motors Accept. 3% due 7/15/69	D	15,000	
		300	Beckman Instruments	B		21,291
1/25/64		500	Westinghouse Elec.	B		21,517
2/14/64		500	Consolidation Coal Co.	B		27,570
3/09/64*		\$57,000	Gen. Motors Accept. 4% - 3/1/79	D		11,214
	100 Shs. 200 200 300 200 300 200 300 300 200 500 500 400 300 300 300		Alum. Co. of Amer. Firestone Tire & Rubber Ford Motor Gen. Tire & Rubber Reynolds Metals St. Regis Paper U. S. Steel Reynolds Metals Ford Motors Aluminum Co. of Amer. Gen. Tire & Rubber U. S. Steel Goodyear Tire & Rubber Goodrich N. Amer. Aviation Firestone Tire & Rub.	D D D D D D D B B B B B B B B B B	7,834 8,581 11,364 7,368 8,076 9,893 11,614 12,117 17,008 15,693 12,255 28,223 18,216 17,309 16,283 12,946	
3/10/64	400 500 300		Allied Chemical Corp. Republic Steel Granite City Steel	B B B	22,115 21,828 13,160	
3/11/64*		\$6,000	Gen. Motors Accept. 4% - 3/1/79	D	5,682	
		\$21,000	Gen. Motors Accept. 3% - 7/15/69	D	19,625	
	300 200 200 200 200 200 500 500 300 400		Granite City Steel Republic Steel Westinghouse Elec. Reynolds Metals Ford Motors Firestone Tire & Rub. Westinghouse Elec. Montgomery Ward Dow Chemical Kaiser Aluminum	D D D B B B B B B B	8,047 8,756 7,249 8,279 11,514 8,806 18,122 18,436 21,100 15,904	

Defendants' Exhibit 98(A) (Continued)

A-960

DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
3/13/64*		\$28,000	Gen. Motors Accept. 3% - 7/15/69	D		26,131
	200		Kaiser Alum. & Chem.	D	7,902	
	700		Montgomery Ward	D	7,300	
	300		Sperry Rand Corp.	D	5,551	
3/18/64*		\$36,000	Gen. Motors Accept. 3% - 5/15/69	D		\$33,552
	300 shs.		Alleghany Ludlum Steel	D	\$12,971	
	200		National Lead	D	14,968	
	200		U. S. Steel	D	11,915	
3/19/64	300		National Lead	B	22,489	
	400		Alleghany Ludlum Steel	B	17,261	
4/02/64		\$9,000	Gen. Motors Accept. 3% - 7/15/69	D		8,343
	200		W. Va. Pulp & Paper	D	8,782	
	500		RCA	B	18,134	
	500		Rexall Drug	B	22,468	
	500		P. Lorillard	B	24,215	
	300		Ford Motors	B	16,896	
	500		Reynolds Metals	B	22,205	
	500		Newmont Mining	B	20,069	
	100		Kaiser Alum. & Chem.	B	4,126	
	500		General Tire & Rubber	B	14,165	
	300		Alum. Co. of Amer.	B	24,328	
	100		Alleghany Ludlum Steel	B	4,579	
	500		Eastern Air Lines	B	19,880	
	500		W. Va. Pulp & Paper	B	22,380	
	500		E. J. Korvette	B	15,609	
4/22/64		100 shs.	Allied Chemical Corp.	B		5,374
7/27/64*		200	Firestone Tire & Rubber	D		7,936
		100	General Electric	D		8,370
		200	Goodyear Tire & Rubber	D		8,657
		200	Montgomery Ward	D		7,612
		200	National Lead	D		15,617
		200	Republic Steel	D		8,806
		200	Westinghouse Electric	D		6,469
	\$61,000		So. Cal. Edison 3-9/1/65	D	61,000	
8/3/64*		105	Eastman Kodak	D		13,580
		300	Granite City Steel	D		7,614
		400	U. S. Steel	D		23,394
	\$43,000		So. Cal. Edison 3-9/1/65	D	42,946	
8/4/64*		204	Int'l Paper	D		6,479
		500	General Electric	B		41,288
		500	Granite City Steel	B		12,565
		521	Int'l Paper	B		16,599
		500	E. J. Korvette	B		16,593
		300	National Lead	B		23,574
		1,000	Olin Mathieson Chem.	B		42,723
		500	Republic Steel	B		22,089
		500	Rexall Drug	B		24,911
	\$5,000		So. Cal. Edison 3-9/1/65	D	4,990	
8/25/64		500	Newmont Mining	B		20,124
8/27/64*		\$33,000	So. Cal. Edison 3-9/1/65	D		32,834
	300		General Dynamics	D	9,969	
	300		Lockheed Aircraft	D	11,137	
	200		United Aircraft	D	10,538	
	300		United Aircraft	B	15,832	
8/28/64*		\$18,000	So. Cal. Ed. 3-9/1/65	D		17,922
	100		Litton Industries	D	6,883	
	200		North Amer. Aviation	D	10,138	

Defendants' Exhibit 98(A) (Continued)

1964						
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
9/02/64*		\$51,000	So. Cal. Ed. 3-9/1/65	D		\$50,718
	300 shs.		Atch., Top. & Santa Fe	D	\$10,408	
	300		Bethlehem Steel	D	11,740	
	200		E. J. Korvette, Inc.	D	7,199	
	200		Lockheed Aircraft	D	7,701	
	300		N. Y. Central	D	12,871	
	500		Bethlehem Steel	B	19,554	
	500		Lockheed Aircraft	B	19,303	
	500		E. J. Korvette	B	18,097	
	500		Atch., Top. & Santa Fe	B	17,368	
	500		N. Y. Central	B	21,451	
	200		North Amer. Aviation	B	10,163	
	500		Magma Copper	B	20,747	
	300		Beckman Instruments	B	19,261	
9/03/64	300		Phelps Dodge	B	22,576	
	300		Kern County Land	B	20,762	
12/4/64*		\$6,000	So. Cal. Ed. 3-9/1/65	D		5,929
	300		RCA	D	11,024	

Defendants' Exhibit 98(A) (Continued)

A-962

4

CANDACE VAN ALLEN

COMBINED ACCOUNTS AT DOMINICK AND EMPIRE TRUST/BANK OF N.Y.

1965						
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
/13/65*		300 shs.	United Aircraft	B		\$18,856
		102	Litton Industries	D		8,023
		500	Lockheed Aircraft	D		18,360
		500	North Amer. Aviation	B		26,060
		500	Lockheed Aircraft	B		18,347
	400 shs.		Richfield Oil	B	\$26,182	
	500		Pan Am World Airways	B	15,333	
	500		Penn R.R.	B	20,572	
	500		Pan Am World Airways	D	15,296	
	200		Penn R.R.	D	8,229	
1/15/65		300	Beckman Instruments	B		21,291
	1,000		Royal Crown Cola	B	23,123	
1/18/65		500	Westinghouse Electric	B		21,517
	500		Ashland Oil & Ref.	B	20,949	
1/20/65*		200	North Amer. Aviation	D		10,274
		200	United Aircraft	D		12,646
	200		Penn R.R.	D	8,480	
	100		Pepsi-Cola	D	6,270	
	100		Royal Crown Cola	D	2,368	
1/22/65			N.Y. Central R.R.	D	5,469	
3/10/65*		500	Eastern Air Lines	B		31,253
		300	Dow Chemical	B		24,474
		500	W. Va. Pulp & Paper	B		22,512
		500	Western Union	B		20,759
		306	St. Regis Paper	D		10,400
		200	W. Va. Pulp & Paper	D		9,104
	\$19,000		So. Cal. Ed. 3-9/1/65	D	18,905	
3/15/65*		\$11,000	So. Cal. Ed. 3-9/1/65	D		10,912
	200		Chrysler Corp.	D	11,640	
	500		Chi.,Milw,St. Paul&Pac.	B	15,596	
3/17/65*		300	Allied Chemical Corp.	B		16,572
		500	St. Regis Paper	B		17,526
		500	Magma Copper	B		21,405
		500	E. J. Korvette	B		21,641
		200	E. J. Korvette	D		8,657
		400	N. Y. Central	D		22,671
		500	Pan Am World Airways	D		15,363
		400	Penn R.R.	D		18,855
		330	RCA	D		10,460
	\$75,000		So. Cal. Ed. 3-9/1/65	D	74,813	
3/18/65*		300	Alleghany Ludlum Steel	D		12,537
		300	Atch., Top., Santa Fe	D		9,740
		200	Bethlehem Steel	D		7,637
		100	Pepsi-Cola	D		7,284
		200	Reynolds Metals	D		7,488
		300	Sperry Rand Corp.	D		4,163
		500	Scott Paper	B		18,347
		500	St. Regis Paper	B		17,290

Defendants' Exhibit 98(A) (Continued)

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1965						
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
3/18/65*		300	B. F. Goodrich	B		\$19,194
		500	Bethlehem Steel	B		19,031
		550	RCA	B		17,300
		400	Goodyear Tire & Rubber	B		20,948
		500	Alleghany Ludlum Steel	B		20,771
		500	Firestone Tire & Rubber	B		23,009
	\$49,000		So. Cal. Ed. 3-9/1/65	D	\$48,939	
19/65*		100	Alum. Co. of Amer.	D		6,722
		100	Bethlehem Steel	D		3,781
		200	Ford Motors	D		10,574
		300	General Dynamics	D		11,045
		200	Kaiser Alum. & Chem.	D		6,145
		500	Pan Am World Airways	B		14,928
		500	Chic.,Milw., St. Paul & Pac.	B		15,301
		500	Alum. Co. of Amer.	B		33,762
		500	Atch.,Top., & Santa Fe	B		16,233
		500	N. Y. Central	B		29,618
		500	Penn R. R.	B		24,501
		500	U. S. Steel	B		26,622
	\$37,000		So. Cal. Ed. 3-9/1/65	D	36,990	
	500 shs.		Chrysler	B	29,099	
3/22/65		300	Kern County Land	B		16,984
		1,000	Montgomery Ward	B		37,327
		500	Royal Crown Cola	B		12,267
		300	Phelps Dodge	B		21,303
3/26/65		1,000	Reynolds Metals	B		37,315
		500	Montgomery Ward	B		18,533
		500	Kaiser Alum. & Chem.	B		15,065
		1,000	General Dynamics	B		37,378
3/30/65		1,000	Sperry Rand	B		13,630
4/01/65		1,000(2)	Underwriters Natl. Assur.	B		26,971
4/12/65		40	St. Regis Paper	B		1,394
5/12/65*	28		Chrysler Corp.	D	1,344	
5/19/65		800	Ford Motors	B		46,002
6/09/65*		108	Mfrs. Hanover Trust	D		5,019
		100	Royal Crown Cola	D		2,104
		\$2,000	United Aircraft Corp.	B		2,906
			4-1/2% - 8/15/88			
		1,000	General Tire & Rubber	B		22,279
		500	Royal Crown Cola	B		10,534
		400	Richfield Oil	B		21,248
		500	Ashland Oil	B		20,498
	\$6,000		Seagram & Sons - 6/1/66	D	5,978	
6/25/65*		\$37,000	So. Cal. Ed. 3-9/1/65	D		36,981
	1,000 shs.		Dome Mines Ltd.	D	36,797	
6/28/65*		\$24,000	So. Cal. Ed. 3-9/1/65	D		24,097
	300		Amer-So. Afr. Invest.	D	16,296	
	200		Dome Mines Ltd.	D	7,726	
6/29/65*		\$12,000	So. Cal. Ed. 3-9/1/65	D		12,024
	200		Amer. So. Afr. Invest.	D	10,964	

Defendants' Exhibit 98(A) (Continued)

		1965				
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
7/27/65	1,000 Shs.		Dome Mines Ltd.	B	\$ 39,850	
8/18/65*	\$97,000	\$97,000	So. Cal. Ed. 3-9/1/65	D		\$ 96,709
			Jos. E. Seagram-6/1/66	D	96,626	
8/30/65*		100 Shs.	Amer.-South African Inv.	D		7,509
		100	Dome Mines Ltd.	D		4,042
	200		Chrysler Corp.	D	10,038	
8/31/65*		400	Amer.-South African Inv.	D		29,161
		100	Dome Mines Ltd.	D		3,916
		\$3,000	Jos. E. Seagram-6/1/66	D		2,983
	200		Int'l Paper	D	6,169	
	300		RCA	D	11,326	
	200		St. Regis Paper	D	7,224	
	200		TWA	D	10,251	
9/02/65*		1,000	Dome Mines Ltd.	D		38,583
		1,000	Dome Mines Ltd.	B		38,148
		\$48,000	Jos. E. Seagram-6/1/66	D		47,825
	500		Automatic Canteen of A.	D	11,839	
	72		Chrysler Corp.	B	3,536	
	300		Int'l Paper	D	9,441	
	500		Pan Am	D	15,547	
	500		RCA	D	19,253	
	300		St. Regis Paper	D	10,873	
	300		TWA	D	15,407	
	500		Standard Oil N.J.	B	37,482	
	500		Texaco Inc.	B	39,672	
	500		W. R. Grace	B	25,695	
	500		RCA	B	19,253	
	500		Pan Am	B	15,547	
	500		N.Y. Central R.R.	B	30,162	
	200		DuPont	B	46,624	
	500		Penn R.R.	B	24,253	
	500		Dow Chemical	B	34,417	
	500		Automatic Cant. of Am.	B	11,890	
9/07/65	500		Revlon	B	20,949	
	500		Chrysler	B	25,157	
	500		Amer. Smelting & Ref.	B	27,660	
	1,000		Reynolds Metals	B	45,918	
	599		Amerada Petroleum	B	39,109	
	500		American Airlines	B	28,160	
	500		Amer. Potash & Chem.	B	20,195	
	500		Rayonier Inc.	B	19,652	
	500		Clark Equipment	B	23,210	
	500		Alum. Co. of Amer.	B	37,232	
9/08/65*		\$45,000	Jos. E. Seagram-6/1/66	D		44,794
	300		Amer. Smelting & Ref.	D	16,709	
	100		Penn R. R.	D	4,931	
	200		Penn R. R.	D	9,837	
	300		Reynolds Metals	D	13,926	
9/09/65		100	Dome Mines	B		3,843
9/15/65		200	Dome Mines	B		7,662
9/16/65	400		Royal Dutch Petroleum	B	16,809	
20/65	500		General Dynamics	B	21,200	
	500		Lockheed Aircraft	B	27,522	
	500		Pan Am	B	17,431	
	500		General Tire & Rubber	B	12,595	
	50		IBM	B	25,713	

Defendants' Exhibit 98(A) (Continued)

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<u>DATE</u>	<u>BOUGHT</u>	<u>SOLD</u>	<u>DESCRIPTION</u>	<u>ACC'T</u>	<u>PURCHASES</u>	<u>SALES</u>
9/20/65*	500 shs.		RCA	B	\$20,598	
	500		Rayonier Inc.	B	19,768	
	500		Automatic Canteen of Amer	B	13,034	
9/22/65*		\$3,000	J. E. Seagram - 6/1/66	D		\$ 2,990
	200		General Dynamics	D	8,606	
	200		Revlon, Inc.	D	8,832	
	400		General Dynamics	B	17,211	
9/24/65	2,000		Fairchild Hiller	B	25,642	
9/26/65	100		Automatic Retailers of America	D	4,680	
	200		Automatic Retailers of America	D	9,385	
9/28/65*		\$4,000	J. E. Seagram - 6/1/66	D		3,988
	400		Lockheed Aircraft	B	22,378	
	500		General Tire & Rubber	B	12,720	
	500		Trans World Airlines	B	28,724	
	500		Automatic Retailers of A.	B	23,687	
	500		General Dynamics	B	23,147	
	600		Fairchild Hiller	D	9,132	
10/11/65*	1,000 wts.		Alleghany Corp.	D	7,519	
11/10/65		500	Dow Chemical	B		38,755
		500	Amerada Petroleum	B		35,996
	1,000		Texas Gulf Sulphur	B	74,589	
11/16/65*		500	St. Regis Paper	D		17,104
		500	Int'l Paper	D		15,239
	100 wts.		Tri Continental Corp.	D	4,629	
	500 shs.		Varian Associates	D	13,097	
	500		Vendo Co.	D	17,783	
12/2/65*	100		Vendo Co.	D	3,687	
12/17/65	100		Lukens Steel	D	4,516	
12/21/65	200		Crucible Steel	D	5,566	

Defendants' Exhibit 98(A) (Continued)

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8

CANDACE VAN ALLEN

COMBINED ACCOUNTS AT DOMINICK AND EMPIRE TRUST/BANK OF N.Y.

1966

<u>DATE</u>	<u>BOUGHT</u>	<u>SOLD</u>	<u>DESCRIPTION</u>	<u>ACC'T</u>	<u>PURCHASES</u>	<u>SALES</u>
1/02/66	100		Valve Corporation of America	D	\$ 2,254	
		1,000	United Aircraft	D		2,442
		300	United Aircraft	D		730
2/10/66	100 wts.		T.W.A.	D	\$ 4,881	
3/1/66	100 shs.		General Tire & Rubber	D	3,499	
3/4/66	500		Raytheon Co.	B	24,617	
3/10/66	500		Raytheon Co.	B	23,901	
	500		T.W.A.	B	31,727	
	500		Varian Associates	B	18,223	
		6	Allied Chemical	B		\$ 269
		400	Royal Dutch Shell	B		16,275
		500	Standard Oil N.J.	B		37,896
		500	Texaco	B		37,372
3/21/66	500		Raytheon Co.	B	22,519	
3/29/66	88/100		Allied Chemical	B	40	
4/4/66	100		Ogden Corp.	D	2,368	
4/5/66	500		Raytheon Co.	B	25,783	
		500	W.R. Grace	B		25,958
4/13/66	300		Fairchild Hiller Corp.	D	6,498	
4/14/66	400		Ogden Corp.	D	9,522	
4/21/66	200		Fairchild Hiller Corp.	D	4,231	
4/25/66		300	Automatic Retailers of Amer.	D		14,856
		500	Canteen Corp.	D		16,116
		200	Crucible Steel	D		6,098
		100	Lukens Steel	D		4,803
		300	Penn. RR	D		20,512
		500	T.W.A.	D		42,616
		600	Vendo Co.	D		21,354
	\$122,000		Phila. Elec.	D	119,283	
4/26/66		500	Aluminum Co. of Amer.	B		46,924
		500	American Airlines	B		36,572
		500	Amer. Potash & Chem.	B		18,914
		500	Amer. Smelting & Ref.	B		34,887
		500	Automatic Retailers of Amer.	B		24,760
		100	Burroughs Corp.	B		6,962
		500	Canteen Corp.	B		16,128
		1,072	Chrysler Corp.	B		51,401
		500	Clark Equipment	B		31,203

Defendants' Exhibit 98(A) (Continued)

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9

DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
4/26/66		400	General Dynamics	B		\$ 25,452
		500	N.Y. Central RR	B		41,517
		500	Penn. RR	B		34,000
4 7/66		300	Amer. Smelting & Ref.	D		20,650
		500	Canteen Corp.	B		15,979
		500	Chrysler Corp.	D		23,702
		2,000	Fairchild Hiller Corp.	B		37,790
		900	Fairchild Hiller Corp.	D		16,950
		500	General Dynamics	B		30,766
		600	General Tire & Rubber	B		20,533
		400	General Tire & Rubber	D		13,751
		1,000	Pan Am	B		69,998
		500	Pan Am	D		34,999
		1,000	RCA	B		57,835
		800	RCA	D		46,558
		1,000	Rayonnier Inc.	B		38,226
		500	Revlon	B		25,521
		1,000	Reynolds Metals	B		64,379
		300	Reynolds Metals	D		19,463
		500	T.W.A.	B		43,490
		100 wts.	T.W.A.	D		6,554
		100 wts.	Tri-Continental Corp.	D		3,936
	\$185,000		Phila. Elec.	D	\$181,328	
4/28/66		500	General Dynamics	B		30,379
		400	General Tire & Rubber	B		13,726
		900	Lockheed Aircraft	B		61,213
		196	N.Y. Central RR	D		15,785
		200	Revlon	D		10,179
	\$ 10,000		Phila. Elec.	D	9,813	
5/3/66		200	E.I. Dupont de Nemours	B		40,798
		50	I.B.M.	B		27,894
		2,000	Raytheon Co.	B		94,560
		500	Texas Gulf Sulphur	B		51,370
		500	Varian Associates	B		17,770
	\$ 20,000		Columbus, Ohio	B	20,098	
	\$ 20,000		Oregon State Vet. Welfare	B	19,808	
	\$ 20,000		Rhode Island	B	20,151	
	\$ 20,000		California	B	19,907	
	\$ 20,000		Conn. State Hwy.	B	19,846	
5/4/66		200	General Dynamics	D		11,527
		500	Ogden Corp.	D		11,392
		100	Valve Corp. of Amer.	D		2,142
		500	Varian Associates	D		16,924
		500	Texas Gulf Sulphur	B		49,934
		500	T.W.A.	B		42,741
	2,000		Dome Mines Ltd.	B	80,152	
	1,000		Dome Mines Ltd.	D	39,486	
5/10/66	16/100shs.		Empire Trust Co.	B	1 53	
5/31/66	1,000		Homestake Mining	D	51,916	
	1,000		Homestake Mining	B	52,292	
		\$53,000	Phila. Elec.	D		53,000

Defendants' Exhibit 98(A) (Continued)

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10

DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
8/1/66		200	Fairchild Hiller Corp.	D		\$ 2,849
11/4/66		1,000	Dome Mines Ltd.	D		35,629
		300	Dome Mines Ltd.	B		10,599
		1,000	Homestake Mining	D		35,641
	400		Boeing Co.	B	\$ 22,628	
	300		Boeing Co.	D	16,971	
	1,000		Fairchild Hiller Corp.	B	13,314	
	400		Eastern Airlines	D	24,380	
	500		Magnavox	D	23,398	
	1,000		Pan Am	B	47,312	
	500		Pan Am	D	23,612	
	500		Raytheon Co.	B	24,655	
	400		Raytheon Co.	D	19,648	
	300		Texas Gulf Sulphur	D	25,567	
	500 wts.		T.W.A.	D	21,427	
	500 wts.		T.W.A.	B	21,451	
	500 shs.		T.W.A.	B	31,952	
	500		Zenith Radio	B	25,846	
11/7/66		1,000	Homestake Mining	B		34,727
		1,700	Dome Mines Ltd.	B		56,916
		\$160,000	Phila. Elec.	D		157,377
	400		Douglas Aircraft	D	14,146	
	1,000		Fairchild Hiller Corp.	D	13,831	
	200		Texas Gulf Sulphur	D	17,145	
	500		Zenith Radio	D	26,909	
11/9/66	500		Eastern Airlines	B	32,978	
	500		Fairchild Camera & Inst.	B	59,629	
	1,000		Fairchild Hiller Corp.	B	14,589	
	1,000		Fairchild Hiller Corp.	D	14,589	
	1,000		R.C.A.	B	43,807	
	500		Raytheon Co.	D	25,220	
	500		Raytheon Co.	B	24,994	
	500		SCM Corp.	D	26,722	
	1,000		Texas Gulf Sulphur	B	86,977	
	500		Zenith Radio	B	27,660	
	1,000		Collins Radio	B	48,355	
	1,000		Magnavox	B	48,619	
	500		T.W.A.	B	32,978	
		\$86,000	Phila. Elec.	D		84,570
11/10/66	500		Collins Radio	D	24,919	
	1,000		Douglas Aircraft	B	38,242	
	500		General Motors	B	36,919	
	1,000		SCM Corp.	B	55,538	
	100		Xerox Corp.	B	18,407	
11/15/66		\$18,000	Phila. Elec.	D		17,670
	200		Beckman Instruments	D	8,731	
	200		Boeing Co.	B	12,115	
	500		Chi., Milw., St. L. RR	B	16,665	
	100		Eastern Airlines	D	6,646	
	500		N.Y. Central RR	B	32,540	
	50		Polaroid Corp.	D	7,732	

Defendants' Exhibit 98(A) (Continued)

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11

<u>DATE</u>	<u>BOUGHT</u>	<u>SOLD</u>	<u>DESCRIPTION</u>	<u>ACC'T</u>	<u>PURCHASES</u>	<u>SALES</u>
11/15/66	500		Raytheon Co.	B	\$ 25,220	
'1/66	500		Raytheon Co.	B	26,834	
	200		Raytheon Co.	D	10,739	
12/6/66	300 calls		Chrysler Corp.	D	1,140	
12/12/66	1,000 calls		Chrysler Corp.	D	3,800	
	300 shs.		Chrysler Corp.	D	10,346	
12/13/66	200		Lukens Steel	D	7,098	

Defendants' Exhibit 98(A) (Continued)

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12

CANDACE VAN ALEN

COMBINED ACCOUNTS AT DOMINICK AND BANK OF NEW YORK

1967

<u>DATE</u>	<u>BOUGHT</u>	<u>SOLD</u>	<u>DESCRIPTION</u>	<u>ACC'T</u>	<u>PURCHASES</u>	<u>SALES</u>
1/5/67	400 shs.		Fairchild Hiller Corp.	D	7,452	
	500		Lukens Steel	D	17,456	
	50		Polaroid Corp.	D	8,195	
1/13/67	1,000		Chrysler Corp.	B	35,114	
	500		Fairchild Camera & Inst.	B	66,824	
	1,000		Lukens Steel	B	36,219	
	500 wts.		T.W.A.	B	29,419	
	1,000 shs.		Admiral Corp.	B	29,838	
1/23/67	100		KLM Royal Dutch Airlines	D	10,887	
2/3/67	100		Fansteel Metallurgical	D	3,926	
3/8/67	400		Fairchild Hiller Corp.	D	9,472	
5/1/67	600		Grumman Aircraft	D	20,918	
	100		General Precision Equip.	D	7,772	
5/4/67	50		McDonnell Douglas	B	2,328	
5/8/67	300		Lukens Steel	D	12,305	
	1,000		Grumman Aircraft	B	38,380	
	300		Reynolds Metals	B	16,558	
	1,000		Sperry Rand	B	34,234	
5/25/67	100		Tektronix Inc.	D	4,768	
6/13/67	200		Tektronix Inc.	D	9,585	
	50		McDonnell Douglas	B	2,385	
	100		Tektronix Inc.	B	4,818	
6/14/67	200		Chrysler Corp.	D	6,193	
6/19/67	100		Chrysler Corp.	D	3,084	
		600 Calls	Chrysler Corp.	D		5,400
		100 "	Chrysler Corp.	D		913
		300 "	Chrysler Corp.	D		2,663
12/67	1,400 calls		Chrysler Corp.	D	10,896	
6/23/67	600 calls		Chrysler Corp.	D	2,880	
7/11/67	500		Chromalloy American	D	26,146	
8/1/67		1,020 rts.	R.C.A.	B		175
8/4/67	200		Amer. Photocopy Equip.	B	2,287	

Defendants' Exhibit 98(A) (Continued)

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13

DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
8/30/67	1,000		Aero Chatillon Corp.	D	14,639	
	400		Chrysler Corp.	D	19,586	
9/12/67	1,500		Amer. Photocopy Equip.	D	16,013	
10/2/67		200	Beckman Instruments	D		15,596
		500	Chi., Milw., St. L. RR.	E		23,038
		500	Collins Radio	D		45,683
		100	Polaroid Corp.	D		19,499
		600	Raytheon Co.	D		54,655
		1,000	Raytheon Co.	B		91,092
		200	Zenith Radio Corp.	B		13,598
10/3/67		1,000	Collins Radio	B		91,017
		1,000	Eastern Airlines	B		52,381
		1,000	Eastern Airlines	D		52,756
		1,500	Fairchild Camera & Inst.	B		138,598
		2,000	Fairchild Hiller Corp.	B		45,844
		100	General Precision	D		6,749
		100	KLM Royal Dutch Airlines	D		7,061
		1,000	Lukens Steel	B		39,236
		1,000	Lukens Steel	D		38,900
		800	McDonnell Douglas	B		37,344
		500	N.Y. Central RR	B		37,866
		2,000	Pan Am	B		51,756
		1,000	Pan Am	D		25,754
		500	Raytheon Co.	D		45,333
		1,000	SCM Corp.	B		56,502
		500	SCM Corp.	D		28,076
		500	Texas Gulf Sulphur	B		74,379
		500	Texas Gulf Sulphur	D		74,716
		500 wts.	T.W.A.	D		20,382
		100 shs.	Xerox Corp.	B		28,677
		800	Zenith Radio	B		64,168
10/4/67		1,000	Admiral Corp.	B		24,635
		1,500	Amer. Photocopy Equip.	D		13,965
		600	Boeing Co.	B		51,134
		300	Boeing Co.	D		25,529
		600	Grumman Aircraft	D		19,258
		1,000	Grumman Aircraft	B		32,047
		750	Chromalloy American	D		25,462
		2,800	Fairchild Hiller Corp.	D		63,839
		100	Fansteel Metallurgical	D		5,329
		1,000	Magnavox	B		49,012
		500	Magnavox	D		24,560
		1,000	McDonnell Douglas	B		48,054
		700	McDonnell Douglas	D		33,612
		1,000	Raytheon Co.	B		92,240
		300	Reynolds Metals	B		14,965
		500	Texas Gulf Sulphur	B		75,952
		1,000	T.W.A.	B		58,260
		1,000 wts.	T.W.A.	B		40,380
		500	Zenith Radio	D		33,870

Defendants' Exhibit 98(A) (Continued)

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DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
10/10/67		200	Amer. Photocopy Equip.	B		1,812
		1,000	Aero Chatillon Corp.	D		14,495
		1,000	Chrysler Corp.	B		52,506
		1,000	Chrysler Corp.	D		52,506
		1,020	R.C.A.	B		61,440
		100	Tektronix	B		5,400
		300	Tektronix	D		16,201
		2	Allied Chemical	R		81
10/11/67		500	Chrysler Corp.	D		26,066
		500	General Motors	B		42,049
		500	P. Lorillard Co.	B		25,379
		7	Manufacturers Hanover	D		329
		166	Loyal Protective Life	B		5,078
10/12/67		1,000	Sperry Rand	B		45,666
	200 puts		Avon Products	D	3,750	
	100 puts		I.B.M.	D	4,700	
	100 puts		Ling Temco Vought	D	1,700	
	100 puts		Motorola	D	1,575	
	100 puts		Teledyne	D	1,938	
	1,000 puts		Chrysler Corp.	D	43,180	
10/13/67		\$20,000	Columbus, Ohio	B		17,850
		\$20,000	Conn. Hwy. Sys.	B		18,476
		\$ 6,000	N.Y.C. - Transit	B		4,525
		\$20,000	Rhode Island	B		18,350
		\$20,000	California Const. Ser. N	B		17,900
		\$20,000	Oregon Vet. Welfare	B		17,900
10/24/67	\$ 5,000		N.Y. City	D	5,043	
	\$175,000		East Haven, Conn.	B	176,435	
11/2/67	\$160,000		Baltimore, Md.	B	162,439	
	\$100,000		Los Angeles, Calif.	B	100,000	
11/8/67		30 rts.	SCM Corp.	B		12
11/22/67	500		Chromalloy American	D	17,230	
	1,000		Chrysler Corp.	D	53,193	
	500		Collins Radio	D	46,066	
	500		Eastern Airlines	D	23,072	
	2,000		Fairchild Hiller Corp.	D	44,291	
	500		Fansteel Metallurgical	D	28,348	
	1,000		McDonnell Douglas	D	50,440	
	500		Revlon	D	39,059	
11/24/67	500		Boeing Co.	D	45,741	
11/28/67	500		Pan Am	D	13,034	
.2/08/67		500	Eastern Airlines	D		20,775
		500	Pan Am	D		11,325

Defendants' Exhibit 98(A) (Continued)

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<u>DATE</u>	<u>BOUGHT</u>	<u>SOLD</u>	<u>DESCRIPTION</u>	<u>ACC'T</u>	<u>PURCHASES</u>	<u>SALES</u>
12/14/67		500	Boeing Co.	D		43,798
		500	Fansteel Metallurgical	D		25,903
	1,000		Amer. So. African Invest.	D	53,543	
	500		Homestake Mining	D	31,213	
12/15/67		500	Chromalloy American	D		19,780
		1,000	Chrysler Corp.	D		53,892
		500	Collins Radio	D		48,106
		2,000	Fairchild Hiller Corp.	D		43,319
		1,000	McDonnell Douglas	D		53,630
		500	Revlon	D		39,240

Defendants' Exhibit 98(A) (Continued)

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CANDACE VAN ALLEN

COMBINED ACCOUNTS AT DOMINICK AND BANK OF N.Y.

DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
1/04/68		50 shs.	McDonnell Douglas	B		\$ 2,494
		30	SCM Corp.	B		1,660
1/26/68	1,000 shs.		Campbell Red Lake Mines	D	\$32,865	
	2,000		Giant Yellowknife Mines	D	24,466	
1/30/68	2,000		Giant Yellowknife Mines	D	25,809	
2/28/68	1,000		Giant Yellowknife Mines	D	13,579	
3/05/68	500		McIntyre Porcupine Mines	D	47,117	
3/07/68	500		McIntyre Porcupine Mines	D	47,417	
4/08/68		1,000	Amer. So. African Invest.	D		50,795
		1,000	Campbell Red Lake Mines	D		24,858
		500	Homestake Mining	D		27,002
	500		Chromalloy American	D	19,780	
	1,000		Chromalloy American	B	39,636	
	500		Chrysler Corp.	D	31,514	
	1,000		Chrysler Corp.	B	63,203	
	1,000		Eastern Airlines	D	34,925	
	1,000		Eastern Airlines	B	34,611	
	1,000		Fansteel Metallurgical	D	35,240	
	500		General Motors Corp.	B	41,098	
	100		Int'l Bus. Machines	B	63,825	
	300		Itek Corp.	D	26,806	
	1,000		Ogden Corp.	D	42,915	
	1,000		Pan Amer. World Airways	D	23,262	
	300		Raytheon Co.	D	27,357	
	400		Texas Gulf Sulphur	D	47,391	
	1,000		Texas Gulf Sulphur	B	119,284	
	1,000		Trans World Airlines	D	43,405	
	200		Xerox Corp.	B	52,831	
	500		Zenith Radio	D	30,988	
	1,000		Fansteel Metallurgical	B	35,365	
	1,100		Litton Industries	B	78,607	
	1,000		Pan Amer. World Airways	B	23,426	
	1,000		Raytheon Co.	B	92,707	
	1,000		Zenith Radio	B	65,417	
	1,000		Delta Airlines	B	29,586	
	1,000		Trans World Airlines	B	43,279	
4/10/68	500		Chromalloy American	D	20,823	
	500		Litton Industries	D	35,731	
	1,000		Ogden Corp.	D	45,315	
	1,000		Zenith Radio	D	64,955	
4/11/68		5,000	Giant Yellowknife Mines	D		44,074
	1,000		Boeing	B	71,086	
	1,000		Fansteel Metallurgical	B	37,576	
	1,000		Ogden Corp.	B	43,016	
	1,000		Twentieth Century Fox	B	33,908	
	1,000		Kaiser Alum. & Chem.	B	42,149	
	1,000		Columbia Broadcasting	B	54,181	

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1968						
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
4/15/68	100 1,000 500 1,000		Teledyne applying put Fairchild Hiller Corp. Itek Corp. Ogden Corp.	D B B B	\$12,151 19,317 45,177 42,915	
4/16/68		103	Teledyne	D		\$11,7
4/17/68		5,000	N.Y. City	D		4,9
4/23/68	500 100 500		EG&G Inc. Raytheon Co. Sanders Associates Inc.	D D D	35,167 9,536 27,898	
4/24/68	100		Itek Corp.	D	10,024	
5/01/68		15 rts. 15 shs.	SCM Corp. SCM Corp.	D D		
5/28/68	300		Electro-Nucleonics Inc.	B	23,841	
6/04/68	1,000 500		Joy Manufacturing Litton Industries	D D	35,365 41,198	
7/12/68		300	McIntyre Porcupine Mines	D		24,
7/19/68	3		Teledyne	D	344	
7/26/68	200		Electro Nucleonics Inc.	D	18,096	
10/15/68		\$50,000 200 shs.	Baltimore, Md. Int'l Bus. Machines	B B		50, 62,
10/18/68	1,000		Anaconda Co.	B	52,630	
10/28/68		1,000 1,000 500 1,000 500 1,000 1,000 1,000 500 400 500 1,000 1,000 1,000 1,000 2,000 1,000 1,000 800 1,200 3,000 1,000 1,000 200 1,500 1,000 500(3)	Chromalloy American Chromalloy American Chrysler Corp. Chrysler Corp. EG&G Inc. Eastern Airlines Eastern Airlines Fansteel Inc. General Motors Itek Corp. Itek Corp. Joy Manufacturing Litton Industries Litton Industries Ogden Corp. Pan Amer. World Airways Pan Amer. World Airways Raytheon Co. Texas Gulf Sulphur Texas Gulf Sulphur Trans World Airlines Trans World Airlines Xerox Corp. Zenith Radio Zenith Radio Sanders Associates Inc.	D B D B D D B D B D B D D B D B B D B B D D B B B D D		53. 52 33 66 23 27 27 32 42 37 40 30 78 78 7 2 2 3 4 10 4 4 4 5 8 8
10/29/68		1,000 1,000	Columbia Broadcasting Delta Airlines	B B		

Defendants' Exhibit 98(A) (Continued)

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1968						
DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASES	SALES
10/29/68		1,000 sh.	Fairchild Hiller Corp.	B		\$18,331
		2,000	Fansteel, Inc.	B		57,453
		1,000	Kaiser Alum. & Chem.	B		38,950
		2,000	Ogden Corp.	B		68,771
		2,000	Raytheon Co.	B		84,118
10/31/68		300	Electro-Nucleonics	B		7,888
		1,000	Twentieth Century Fox	B		33,602
		600	Electro Nucleonics	B		15,316
11/06/68		\$20,000	East Haven, Conn.	B		20,000
		\$10,000	East Haven, Conn.	B		10,000
		\$145,000	East Haven, Conn.	B		145,000
11/13/68	500		Amer. So. African Inv.	D	\$29,937	
	500		Campbell Red Lake Mines	D	17,557	
	500		Dome Mines Ltd.	D	33,729	
	1,000		Amer. So. African Inv.	B	60,938	
	1,000		Campbell Red Lake Mines	B	35,780	
	1,000		Domes, Ltd.	B	68,458	
12/05/68	5,000		Benquet Consol.	B	84,464	
	2,000		Homestake Mining	B	85,111	
12/20/68 (4)	500		Amer. So. African Inv.	D	32,477	
	1,000		Benquet Consol.	D	17,114	
	500		Campbell Red Lake Mines	D	19,177	
	500		Dome Mines Ltd.	D	36,456	
	1,000		Homestake Mining	D	43,405	
	1,000		Int'l Mining Corp.	D	32,639	
12/27/68*		500/1000ths	Litton Industries	B		40

DEFENDANTS' EXHIBIT 98(B)

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Candace Van Alen, Chronological List of Transactions
By Trade Date, February 11, 1969 - March, 1970, Com-
bined Accounts at Dominick, Bank of New York and First
National City Bank

CANDACE VAN ALEN

COMBINED ACCOUNTS AT DOMINICK, BANK OF N.Y. AND F.N.C.B.

CHRONOLOGICAL LIST OF TRANSACTIONS BY TRADE DATE

February 11, 1969 - March, 1970

- SOURCE: 1. Plaintiff's proposed schedule I.
2. Account at Dominick (D) - Dominick "confirmation" slips (Defendants' Exhibit 17).
3. Account at Bank of N.Y. and F.N.C.B. (B)
- a. 2/11/69-10/15/69: Bank of N.Y. "advice" slips (Defendants' Exhibit 19).
 - b. 10/28/69-3/3/70 - F.N.C.B. monthly statements and "confirmation" slips (Defendants' Exhibit 20 and 21).

FOOTNOTES

- * Transaction appears as part of total on plaintiff's schedule; separate amounts and trade dates are per Dominick confirmations or Bank advices.
- (1) Trade date differs from plaintiff's schedule as per Dominick confirmation or Bank advice.
- (2) Transaction appears as separate trades on plaintiff's schedule.
- (3) Transaction appears in May 1969 monthly statement, confirmations not available; trade date as per plaintiff's proposed schedule I.

Defendants' Exhibit 98(B) (Continued)

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CANDACE VAN ALLEN

COMBINED ACCOUNTS AT DOMINICK, BANK OF N.Y. AND FNCH

CHRONOLOGICAL LIST OF TRANSACTIONS BY TRADE DATE

February 11, 1969 - March, 1970

SOURCE:

date	Bought	Sold	Description	Acc't	Purchase	Sales
2/11/69	1,000 Shs.		American Hospital Supply	B	\$ 34,579	
	1,000		Chromalloy American	B	43,222	
	1,000		Chrysler Corp.	B	54,179	
	1,000		Eastern Airlines	B	30,827	
	1,000		Lear Siegler	B	26,667	
	1,000		Republic Steel	B	51,626	
	1,000		Reynolds Metals	B	43,251	
	1,000		Santa Fe Ind.	B	38,238	
	1,000		Texas Gulf Sulphur	B	35,164	
	1,000		T.W.A.	B	47,896	
	500		Chromalloy American	D	22,255	
		1,000	Dome Mines	D		\$ 72,486
		900	Homestake Mines	D		34,932
		100	Homestake Mines	D		3,906
		1,000	International Mining	D		30,356
		300	McIntyre Porcupine Mines	D		33,434
		200	McIntyre Porcupine Mines	D		22,189
		1,000	Amer.-S. African Inv.	D		56,002
		1,000	Benquet Consolidated	D		15,608
		200	Campbell Red Lakes	D		6,618
		800	Campbell Red Lakes	D		26,175
2/12/69	500		Amer. Hospital Supply	D	17,494	
	400*		Chrysler Corp.	D	21,728	
	500		Delta Airlines	D	20,069	
	500		Eastern Airlines	D	15,610	
	500		Lear Siegler	D	13,600	
	500		Leesona Corp.	D	25,069	
	500		Lukens Steel	D	17,368	
	500		Ogden Corp.	D	17,682	
	400		Reynolds Metals	D	17,563	
	500		Santa Fe Industries	D	19,693	
	500		Texas Gulf Sulphur	D	17,368	
	500 Wts.		T.W.A.	D	16,539	
	500 Shs.		U. S. Steel	D	24,152	
2/13/69	1,000		Technicolor	D	23,805	
2/14/69	500		Santa Fe Industries	D	19,567	
	100*		Chrysler Corp.	D	5,244	
		200	McIntyre Porcupine Mines	D		21,690
2/18/69		500	Amer. Hospital Supply	D		16,670
		500	Chromalloy American	D		18,809
		500	Chrysler Corp.	D		25,316
		500	Delta Airlines	D		18,660
		500	Eastern Airlines	D		13,934
		500	Lear Siegler	D		12,379
		500	Leesona Corp.	D		22,590
		500	Lukens Steel	D		16,073
		500	Ogden Corp.	D		17,292
		400	Reynolds Metals	D		16,122
		500	Santa Fe Industries	D		17,852
		1,000	Technicolor	D		22,526
		500	Texas Gulf Sulphur	D		15,924
		500 Wts.	T.W.A.	D		13,972
		500 Shs.	U.S. Steel	D		21,707

Defendants' Exhibit 98(B) (Continued)

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Date	Bought	Sold	Description	Acc't	Purchase	Sales
2/20/69		1,000	Amer. Hospital Supply	B		\$ 32,843
		1,000	Chromalloy American	B	\$	37,395
		1,000	Chrysler Corp.	B		51,257
		1,000	Eastern Airlines	B		27,881
		1,000	Lear Siegler	B		23,640
		1,000	Republic Steel	B		46,275
		1,000	Reynolds Metals	B		39,099
		1,000	Santa Fe Industries	B		35,704
		1,000	Texas Gulf Sulphur	B		30,725
		1,000	T.W.A.	B		44,410
4/30/69	300 Shs.		Addressograph-Multi.	D	24,441	
	500		Addressograph-Multi.	B	40,717	
	500		Allegheny Corp.	D	10,703	
	1,000		Allegheny Corp.	B	21,596	
	500		Amer. Hospital Supply	D	17,494	
	1,000		Amer. Hospital Supply	B	35,077	
	1,000		Amer. Machine & Fdry.	D	26,307	
	1,000		Amer. Machine & Fdry.	B	26,285	
	1,000		Amer. Smelting & Ref.	B	40,112	
	500		A.M.K. Corp.	D	18,185	
	1,000		A.M.K. Corp.	B	36,836	
	500		Ampex Corp.	D	21,074	
	1,000		Ampex Corp.	B	41,745	
	500		Chromalloy American	D	20,132	
	1,000		Chromalloy American	B	40,730	
	500		Chrysler Corp.	D	25,057	
	1,000		Chrysler Corp.	B	50,640	
	300		Columbia Broadcasting	D	16,408	
	1,000		Columbia Broadcasting	B	55,923	
	500		Cox Broadcasting	D	23,097	
	1,000		Cox Broadcasting	B	47,111	
	500		Eckerd Drugs of Fla.	D	22,393	
	1,000		Eckerd Drugs of Fla.	B	47,149	
	500		Gulf & Western Ind.	D	17,431	
	1,000		Gulf & Western Ind.	B	34,285	
	500		Kinney National	D	16,803	
	1,000		Kinney National	B	34,574	
	500		Leesona Corp.	D	24,692	
	1,000		Leesona Corp.	B	50,578	
	500		Ling Temco Vought	D	26,471	
	1,000		Ling Temco Vought	B	52,630	
	400		Litton Ind.	D	22,378	
	1,000		Litton Ind.	B	56,423	
	1,000		Ogden Corp.	D	34,234	
	1,000		Ogden Corp.	B	34,314	
	500		Santa Fe Ind.	D	16,615	
	1,000		Santa Fe Ind.	B	33,184	
	500		Texas Gulf Sulphur	D	14,793	
	1,000		Texas Gulf Sulphur	B	29,676	
	500*		Xtra, Inc.	D	19,818	
		100	Amer.-S. African Inv.	B		5,925
		900	Amer.-S. African Inv.	B		53,099
		1,000	Homestake Mines	B		39,547
		1,000	Dome Mines	B		72,009
		1,000	Campbell Red Lakes	B		34,833
		1,000	Benquet Consolidated	B		23,218
5/01/69		1,000	Homestake Mines	B		39,335
		1,000	Benquet Consolidated	B		23,479
5/02/69		1,000	Benquet Consolidated	B		23,268
		3,000 Rts.	Homestake Mines	B		1,410
		1,000	Homestake Mines	B		38,788
		800	Homestake Mines	B		31,058
5/05/69	1,000		Leeds & Northrup	B	27,501	
	1,000		Levin Townsend Comp.	B	40,390	
	1,000		Xtra, Inc.	B	42,777	
		1,000	Benquet Consolidated	B		23,268
5/06/69		1,000	Benquet Consolidated	B		21,783

Defendants' Exhibit 98(B) (Continued)

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Date	Bought	Sold	Description	Acc't	Purchase	Sales
5/15/69	1,000*		Texas Gulf Sulphur	D	\$32,601	
5/26/69		300	Addressograph-Multi.	D		\$ 23,843
		500	Chrysler Corp.	D		25,129
5/27/69		500	Addressograph-Multi.	B		39,614
		500	Allegheny Corp.	D		10,954
		1,000	Allegheny Corp.	B		21,536
		500	Amer. Hospital Supply	D		17,354
		1,000	Amer. Hospital Supply	B		34,957
		1,000	Amer. Machine & Pdry.	D		23,516
		1,000	Amer. Machine & Pdry.	B		23,516
		1,000	Amer. Smelting & Ref.	B		36,786
		500	A.M.K. Corp.	D		15,862
		1,000	A.M.K. Corp.	B		30,853
		500	Ampex Corp.	D		20,775
		1,000	Ampex Corp.	B		40,803
		500	Chromalloy American	D		17,864
		1,000	Chromalloy American	B		34,833
		1,000	Chrysler Corp.	B		49,909
		300	Columbia Broadcasting	D		16,576
		1,000	Columbia Broadcasting	B		54,928
		500	Cox Broadcasting	D		22,765
		1,000	Cox Broadcasting	B		45,280
		500	Eckerd Drugs of Fla.	D		23,051
		1,000 (3)	Eckerd Drugs of Fla.	B		43,801
		500	Gulf & Western Ind.	D		14,805
		1,000	Gulf & Western Ind.	B		29,361
		500	Kinney National	D		16,571
		1,000	Kinney National	B		32,246
		1,000	Leeds & Northrup	B		29,536
		500	Leesona Corp.	D		23,784
		1,000	Leesona Corp.	B		47,519
		1,000	Levin Townsend Comp.	B		36,754
		500	Ling Temco Vought	D		24,879
		1,000	Ling Temco Vought	B		49,546
		400	Litton Ind.	D		21,102
		1,000	Litton Ind.	B		51,994
		1,000	Ogden Corp.	D		28,590
		1,000	Ogden Corp.	B		28,253
		500	Santa Fe Ind.	D		15,489
		1,000	Santa Fe Ind.	B		30,791
		1,000	Texas Gulf Sulphur	D		30,565
		1,000	Texas Gulf Sulphur	B		30,356
		500	Xtra, Inc.	D		19,183
		1,000	Xtra, Inc.	B		37,942
10/14/69	200		Addressograph-Multi	D	17,045	
	500		Amer. Smelting & Ref.	D	15,421	
	500*		Amer. Smelting & Ref.	B	16,301	
	300		Atlantic Richfield	D	30,635	
	500		Atlantic Richfield	B	50,783	
	1,000		Avnet	D	15,094	
	500		Chromalloy American	D	14,466	
	1,000		Chromalloy American	B	28,820	
	500*		Chrysler Corp.	D	19,567	
	1,000*		Chrysler Corp.	B	39,636	
	500		Cox Broadcasting	D	25,068	
	500		Gulf & Western Ind.	D	12,494	
	1,000*		Gulf & Western Ind.	B	24,436	
	500		Kinney National	D	14,730	
	1,000		Kinney National	B	29,700	
	500		Leesona Corp.	D	15,597	
	1,000*		Leesona Corp.	B	30,968	
	1,000		Levin Townsend Comp.	D	27,953	
	500		Ling Temco Vought	D	22,645	
	1,000		Ling Temco Vought	B	44,435	
	500		Litton Ind.	D	25,620	
	1,000		Litton Ind.	B	51,616	
	500		Ogden Corp.	D	12,658	
	1,000*		Ogden Corp.	B	24,687	
	500		Raytheon Corp.	D	20,446	
	1,000*		Raytheon Corp.	B	40,465	
	500 (1)		Republic Corp.	D	14,605	
	1,000*		Republic Corp.	B	28,707	

Defendants' Exhibit 98(B) (Continued)

A-981

<u>DATE</u>	<u>BOUGHT</u>	<u>SOLD</u>	<u>DESCRIPTION</u>	<u>ACC'T</u>	<u>PURCHASE</u>	<u>SALES</u>
10/15/69	300		Addressograph-Multi.	B	25,242	
	1,000*		Amer. Smelting & Ref.	B	31,094	
	300		Chromalloy American	B	14,554	
	300*		Chrysler Corp.	D	20,635	
	300*		Chrysler Corp.	B	20,635	
	800		Cox Broadcasting	B	43,155	
	300*		Gulf & Western Ind.	B	13,034	
	1,000		Kaiser Alum. & Chem.	B	38,228	
	1,000		Kaiser Ind.	B	20,750	
	300 (1)		Kinney National	B	15,107	
	300*		Leesona Corp.	B	16,489	
	300*		Ogden Corp.	B	12,658	
	1,000		Penn Central	B	38,003	
	300*		Raytheon Corp.	B	21,137	
	300		Republic Corp.	D	14,743	
	1,000*		Republic Corp.	B	29,900	
	300		Reynolds Metals	D	18,059	
	1,000		Reynolds Metals	B	36,106	
	300		Sangamo Electric	D	11,751	
	1,000		Sangamo Electric	B	24,209	
	1,000		St. Regis Paper	B	40,390	
	300		Santa Fe Ind.	D	23,084	
	1,000		Santa Fe Ind.	B	46,458	
10/28/69	1,000		Allegheny Corp.	B	16,611	
	300		AMK Corp.	B	15,750	
	300		Canadian Pac. RR	B	23,080	
	300		Illinois Central	B	17,610	
	300		National General	B	12,547	
	300		Northrop Corp.	B	19,205	
	1,000		Northwest Ind.	B	18,770	
	1,000		Royal Crown Cola	B	16,371	
	1,000 wts.		T.W.A.	B	18,088	
10/29/69	500 shs.		Amerada Hess Corp.	B	19,456	
11/11/69		500	Amer. Smelting & Ref.	D		16,734
		500	Chromalloy American	D		15,403
		500	Litton Ind.	D		27,378
		500	Republic Corp.	D		16,734
		500	Sangamo Electric	D		17,169
12/29/69	500		Amer. Smelting & Ref.	D	15,861	
	500		Chromalloy American	D	15,170	
	500		Litton Ind.	D	18,688	
	500*		Republic Corp.	D	14,416	
	500		Sangamo Electric	D	12,155	
1/2/70	1,000		Teledyne Inc.	B	40,254	
	500*		Republic Corp.	D	14,039	
1/28/70		500 (1)	AMK Corp.	B		12,800
		1,000	Avnet	D		11,032
		500 (1)	Amer. Smelting & Ref.	D		15,241
		1,500 (1)	Amer. Smelting & Ref.	B		45,854
		500 (1)	Chromalloy American	D		13,960
		500	Chromalloy American	B		13,359
		1,000	Chrysler Corp.	D		27,373
		500	Cox Broadcasting	D		23,822
		800	Cox Broadcasting	B		37,339
		1,000	Kaiser Alum. & Chem.	B		33,753
		1,000	Kaiser Ind.	B		17,450
		300	Kinney National	D		14,209
		1,000	Kinney National	B		28,171
		300	Reynolds Metals	D		14,744
		500 (1)	Sangamo Electric	D		13,687
		1,000 (1)	Sangamo Electric	B		26,858
		1,000 (1)	Republic Corp.	D		22,998

Defendants' Exhibit 98(B) (Continued)

A-982

DATE	BOUGHT	SOLD	DESCRIPTION	ACC'T	PURCHASE	SALES
1/29/70		200	Addressograph-Multi.	D		10,002
		300	Addressograph-Multi.	B		14,838
		300	Atlantic Richfield	B		22,024
		500	Atlantic Richfield	B		22,415
		1,500	Chrysler Corp.	B		42,158
		500	Gulf & Western Ind.	D		8,302
		1,500	Gulf & Western Ind.	B		24,684
		500	Leesona Corp.	D		8,857
		1,000	Levin Townsend Corp.	D		12,306
		500	Ling Temco Vought	D		10,064
		500	Litton Ind.	D		12,194
		1,000	Litton Ind.	B		23,994
		500	Ogden Corp.	D		6,741
		1,500	Ogden Corp.	B		19,939
		1,000	Penn Central	B		27,726
		500	Raytheon Corp.	D		13,376
		1,500	Raytheon Corp.	B		39,618
		500	Republic Corp.	D		11,474
		2,000	Republic Corp.	B		45,165
		1,000	Reynolds Metals	B		28,758
		1,000	St. Regis Paper	B		33,201
		1,000	Santa Fe Ind.	B		25,027
		500	Santa Fe Ind.	D		12,816
		500	Texas Gulf Sulphur	D		9,661
		1,000	Allegheny Corp.	B		10,604
		300	Canadian Pac. RR	B		19,633
		500	Illinois Central Ind.	B		13,608
		500	National General	B		7,477
		500	Northrup Corp.	B		14,292
		1,000	Northwest Ind.	B		11,916
		1,000	Royal Crown Cola	B		13,818
		1,000 wts.	T.W.A.	B		10,062
3/30/70		500(1)	Amerada Hess Corp.	B		13,795
		1,500	Leesona Corp.	B		24,184
		1,000	Ling Temco Vought	B		20,036
		1,000	Teledyne Inc.	B		29,604
1/2/70		1,000	Chromalloy American	B		26,196
1/2/70	500		AMK Corp.	D	13,600	
	500		Chromalloy American	D	14,416	
	500		Chrysler Corp.	D	13,788	
	200		Columbia Broadcasting	D	8,907	
	500		Republic Corp.	D	10,198	
	500		Santa Fe Ind.	D	12,595	
	500		T.W.A.	D	10,514	
1/7/70	1,000(2)		* Allegheny Corp.	D	11,180	
	1,000		Allegheny Corp.	B	11,700	
	1,000		Amer. Smelting & Ref.	B	35,380	
	1,000		AMK Corp.	B	27,214	
	1,000		Ashland Oil & Ref.	B	26,209	
	500		Avnet Inc.	D	5,779	
	1,000		Avnet Inc.	B	11,953	
	1,000(2)		Beckman Inst. Inc.	B	45,284	
	1,000		Chromalloy American	B	29,601	
	1,000		Chrysler Corp.	B	28,471	
	500		Dennison Mfg.	D	10,892	
	1,000		Dennison Mfg.	B	21,295	
	1,000		Eastern Airlines	B	17,634	
	500		Kaiser Ind.	D	10,198	
	1,000		Santa Fe Ind.	B	25,833	
	500		Schlumberger Ltd.	B	37,935	
	500(2)		** Teledyne Inc.	D	13,335	
	1,000		Teledyne Inc.	B	26,963	

* Plaintiff objects to this item and requests that it be changed to two separate transactions on March 3, 1970 of 500 shares each.

** Plaintiff objects to this item and requests that it be changed to two separate transactions on March 3, 1970 of 300 shares and 200 shares.

DEFENDANTS' EXHIBIT 98(C)

A-983

Candace Van Alen, Account at Empire Trust/Bank
of New York. Schedule of Transactions 1964-1968

CANDACE VAN ALLEN

ACCOUNT AT EMPIRE TRUST/BANK OF NEW YORK

SCHEDULE OF TRANSACTIONS

1964-1968

- SOURCE:
1. Candace Van Alen, Combined Accounts at Dominick and Bank of N.Y., Chronological List of Transactions by Trade Date, 1964-1968 (Defendants' Exhibit).
 2. Bank of N.Y. monthly statements (Defendants' Exhibit 18) and "advice" slips (Defendants' Exhibit 19).

CANDACE VAN ALLEN ACCOUNT AT EMPIRE TRUST/BANK OF NEW YORK

1964

<u>Quantity</u>	<u>Description</u>	<u>Acquisition Date</u>	<u>Sales Date</u>	<u>Purchase Price</u>	<u>Sales Price</u>	<u>Profit</u>	<u>Loss</u>	<u>Time Held</u>
800	Zenith Radio	N.A.*	1/07/64	N.A.	\$ 60,082	-	-	-
500	Magnavox	N.A.	1/07/64	N.A.	19,652	-	-	-
300	United Aircraft	N.A.	1/19/64	N.A.	18,856	-	-	-
500	Lockheed Aircraft	N.A.	1/20/64	N.A.	18,347	-	-	-
500	North American Aviat.	N.A.	1/20/64	N.A.	26,060	-	-	-
500	Consolidated Coal	N.A.	2/14/64	N.A.	27,570	-	-	-
100	Allied Chemical Corp.	3/10/64	4/22/64	\$ 5,529	5,374	-	\$ 155	1-1/2 mos.
500	General Electric	N.A.	8/04/64	N.A.	41,288	-	-	-
500	Granite City Steel	3/10/64	8/04/64	13,160	12,565	-	595	5 mos.
521	Int'l Paper	N.A.	8/04/64	N.A.	16,599	-	-	-
500	E. J. Korvette	4/02/64	8/04/64	15,609	16,593	\$ 984	-	4 mos.
300	National Lead	3/19/64	8/04/64	22,489	23,574	1,085	-	3 mos.
1000	Olin Mathieson Chem.	N.A.	8/04/64	N.A.	42,723	-	-	-
500	Republic Steel	3/10/64	8/04/64	21,828	22,089	261	-	5 mos.
500	Roxall Drug	4/02/64	8/04/64	22,468	24,911	2,443	-	4 mos.
500	Newmont Mining	4/02/64	8/25/64	20,069	20,124	55	-	4 mos.
				\$121,152	\$125,230	\$ 4,028	\$ 750	

1964 NET PROFIT \$ 4,078

* NA -- purchased prior to 1964; not included in totals.

Defendants Exhibit 98(c) Continued
A-984

1965

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
300	United Aircraft	8/27/64	1/13/65	\$ 15,832	\$ 18,856	\$ 3,024	-	4 1/2 mos.
500	North Amer. Aviation (300)	3/09/64	1/13/65	16,283	26,060	-	\$ 386	10 mos.
	(200)	9/02/64		10,163				4 1/3 mos.
500	Lockheed Aircraft	9/02/64	1/13/65	19,303	18,347	-	956	4 1/3 mos.
300	Beckman Instruments	9/02/64	1/15/65	19,261	21,291	2,030	-	4 1/2 mos.
500	Westinghouse Electric	3/11/64	1/18/65	18,122	21,517	3,395	-	10 1/4 mos.
500	Eastern Airlines	4/02/64	3/10/65	19,880	31,253	11,373	-	11 1/4 mos.
300	Dow Chemical	3/11/64	3/10/65	21,100	24,474	3,374	-	1 year
500	West Va. Pulp & Paper	4/02/64	3/10/65	22,380	22,512	132	-	11 1/4 mos.
500	Western Union	NA	3/10/65	NA	20,759	-	-	-
300	Allied Chemical Corp.	3/10/64	3/17/65	16,586	16,572	-	14	1 year
500	St. Regis Paper	NA	3/17/65	NA	17,526	-	-	-
500	Magma Copper	9/02/64	3/17/65	20,747	21,405	658	-	6 1/2 mos.
500	E. J. Korvette	9/02/64	3/17/65	18,097	21,641	3,544	-	6 1/2 mos.
40	St. Regis Paper	NA	3/17/65	NA	1,394	-	-	-
500	Scott Paper	NA	3/18/65	NA	18,347	-	-	-
500	St. Regis Paper	NA	3/18/65	NA	17,290	-	-	-
300	B. F. Goodrich	3/09/64	3/18/65	17,309	19,194	1,885	-	1 year
500	Bethlehem Steel	9/02/64	3/18/65	19,554	19,031	-	523	6 1/2 mos.
550	R.C.A.	4/02/64	3/18/65	18,134	17,300	-	834	11 1/2 mos.
400	Goodyear Tire & Rubber	3/09/64	3/18/65	18,216	20,948	2,732	-	1 year
500	Alleghany Ludlum Steel (400)	3/19/64	3/18/65	17,261	20,771	-	1,069	1 year
	(200)	4/02/64		4,579				11 1/2 mos.
500	Firestone Tire & Rubber (300)	3/09/64	3/18/65	12,946	23,009	1,257	-	1 year
	(200)	3/11/64		8,806				1 year
500	Chic., Milw. St. Paul & Pac. RR	3/22/65	3/29/65	15,597	15,301	-	296	1 year
500	Alum. Co. of America (200)	3/09/64	3/19/65	15,693	33,762	-	6,259	1 year
	(300)	4/02/64		24,328				11 1/2 mos.
500	Atch., Topk. & Santa Fe Ry	9/02/64	3/19/65	17,368	16,233	-	1,135	6 1/2 mos.
500	N.Y. Central RR	9/02/64	3/10/65	21,461	20,618	8,167	-	6 1/2 mos.

NA - purchased prior to 1964; not included in totals.

Defendants' Exhibit 98(c) Continued A-985

1965 (Cont'd)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
500	Pan Am World Airways	1/13/65	3/19/65	\$ 15,333	\$ 14,928	-	\$ 405	2-1/4 mos.
500	Penn R.R.	1/13/65	3/19/65	20,572	24,501	\$ 3,929	-	2-1/4 mos.
500	U. S. Steel	3/09/64	3/19/65	28,223	26,622	-	1,601	1 year
300	Kern County Land	9/03/64	3/22/65	20,762	16,984	-	3,778	6-1/2 mos.
1000	Montgomery Ward	N.A.	3/22/65	N.A.	37,327	-	-	-
500	Royal Crown Cola	1/15/65	3/22/65	11,561	12,267	706	-	2-1/4 mos.
300	Phelps Dodge	9/03/64	3/22/65	22,576	21,303	-	1,273	6-1/2 mos.
1000	Reynolds Metals (300)	3/09/64	3/26/65	12,117	37,315	-	5,286	1 year
	(200)	3/11/64		8,279				1 year
	(500)	4/02/64		22,205				11-3/4 mos.
500	Montgomery Ward	3/11/64	3/26/65	18,436	18,533	97	-	1 year
500	Kaiser Alum. & Chem. (400)	3/11/64	3/26/65	15,904	15,065	-	4,965	1 year
	(100)	4/02/64		4,126				11-3/4 mos.
1000	General Dynamics	N.A.	3/26/65	N.A.	37,378	-	-	-
1000	Sperry Rand	N.A.	3/30/65	N.A.	13,630	-	-	-
1000	Underwriters Natl. Ass.	N.A.	4/01/65	N.A.	26,971	-	-	-
800	Ford Motors (300)	3/09/64	5/19/65	17,008	46,002	584	-	14-1/3 mos.
	(200)	3/11/64		11,514				14-1/4 mos.
	(300)	4/02/64		16,896				13-1/2 mos.
82000	United Aircraft Corp.- 4-1/25-8/15/88	N.A.	6/09/65	N.A.	2,906	-	-	-
1000	General Tire & Rub. (500)	3/09/64	8/09/65	12,255	22,379	-	4,141	13 mos.
	(500)	4/02/64		14,165				14-1/4 mos.
500	Royal Crown Cola	1/15/65	8/09/65	11,562	10,534	-	1,028	6 mos.
400	Richfield Oil	1/13/65	8/09/65	26,182	21,248	-	4,934	6 mos.
900	Ashland Oil	1/18/65	8/09/65	20,949	20,498	-	451	5-2/3 mos.
1000	Dome Mines, Ltd.	7/27/65	9/02/65	39,850	38,148	-	1,702	1-1/4 mos.
500	Dow Chemical	9/02/65	11/10/65	34,417	38,755	4,338	-	2-1/4 mos.
500	Amerada Petroleum	9/07/65	11/10/65	39,109	35,996	-	3,113	2 mos.
500	Automatic Canteen of A.	9/09/65	N.A.	11,890	N.A.	-	-	-
				8872,997	9880,073	\$51,225	\$44,149	

1965 NET PROFIT \$ 7,076

Defendants' Exhibit 98 (c) Continued

NA - Purchased prior to 1964; not included in totals.

A-986

CANDACE VAN ALLEN ACCOUNT AT EMPIRE TRUST/BANK OF NEW YORK

1966

<u>Quantity</u>	<u>Description</u>	<u>Acquisition Date</u>	<u>Sales Date</u>	<u>Purchase Price</u>	<u>Sales Price</u>	<u>Profit</u>	<u>Loss</u>	<u>Time Held</u>
6	Allied Chemical	4/06/65	3/10/66	-0-	\$ 269	\$ 269	-	11 mos.
400	Royal Dutch Shell	9/16/65	3/10/66	\$ 16,809	16,275	-	\$ 534	6 mos.
500	Standard Oil of N.J.	9/02/65	3/10/66	37,482	37,896	414	-	6 mos.
500	Texaco	9/02/65	3/10/66	39,672	37,372	-	2,300	6 mos.
500	W. R. Grace	9/02/65	4/05/66	25,695	25,958	263	-	7 mos.
500	Alum. Co. of Amer.	9/07/65	4/26/66	37,232	46,924	9,692	-	7 1/2 mos.
500	Amer. Airlines	9/07/65	4/26/66	28,160	36,572	8,412	-	7 1/2 mos.
500	Amer. Potash & Chem.	9/07/65	4/26/66	20,195	18,914	-	1,281	7 1/2 mos.
500	Amer. Smelting & Refg.	9/07/65	4/26/66	27,660	34,887	7,227	-	7 1/2 mos.
500	Automatic Retailers of Amer.	9/28/65	4/26/66	23,687	24,760	1,073	-	7 mos.
100	Burroughs Corp.	NA	4/26/66	NA	6,922	-	-	-
500	Canteen Corp.	9/02/65	4/26/66	11,890	16,128	4,238	-	7 1/2 mos.
1,072	Chrysler Corp.	(500) 3/19/65 (72) 9/02/65 (500) 9/07/65	4/26/66	29,099 3,536 25,157	51,401	-	6,391	1 yr., 1 1/4 mos. 7 3/4 mos. 7 2/3 mos.
500	Clark Equipment	9/07/65	4/26/66	23,210	31,203	7,993	-	7 1/2 mos.
400	General Dynamics	9/22/65	4/26/66	17,211	25,452	8,241	-	7 mos.
500	N.Y. Central RR	9/02/65	4/26/66	30,162	41,517	11,355	-	7 1/2 mos.
500	Penn RR	9/02/65	4/26/66	24,253	34,000	9,747	-	7 1/2 mos.
500	Canteen Corp.	9/20/65	4/27/66	13,034	15,979	2,945	-	7 mos.
2,000	Fairchild Hiller	9/24/65	4/27/66	25,642	37,790	12,148	-	7 mos.
500	General Dynamics	9/20/65	4/27/66	21,200	30,766	9,566	-	7 mos.
600	General Tire & Rubber	(500) 9/20/65 (100) 9/28/65	4/27/66	12,595 2,544	20,533	5,394	-	7 1/4 mos. 7 mos.
1,000	Pan Am	(500) 9/02/65 (500) 9/20/65	4/27/66	15,547 17,431	69,998	17,020	-	7 1/2 mos. 7 mos.
1,600	RCA	(500) 9/02/65 (500) 9/20/65	4/27/66	19,253 20,698	57,835	17,884	-	7 1/2 mos. 7 mos.
1,000	Rayonier Inc.	(500) 9/07/65 (500) 9/20/65	4/27/66	19,652 19,768	38,226	-	1,194	7 1/2 mos. 7 mos.
500	Revlon	9/07/65	4/27/66	20,949	25,521	4,572	-	7 1/2 mos.

Defendants' Exhibit 98(c) Continued

NA - purchased prior to 1964; not included in totals.

A-987

1966
(Cont'd)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
1,000	Reynolds Metals	9/07/65	4/27/66	\$ 45,918	\$ 64,379	\$ 18,461	-	7 1/2 mos.
500	TWA	9/28/65	4/27/66	28,724	43,490	14,766	-	7 mos.
500	General Dynamics	9/28/65	4/28/66	23,147	30,379	7,232	-	7 mos.
400	General Tire & Rubber	9/28/65	4/28/66	10,176	13,726	3,550	-	7 mos.
900	Lockheed Aircraft	(500) 9/20/65 (400) 9/28/65	4/28/66	27,522 22,378	61,213	11,313	-	7 mos. 7 mos.
200	E. I. DuPont de Nemours	9/02/65	5/03/66	46,624	40,798	-	\$ 5,826	8 mos.
50	IBM	9/20/65	5/03/66	25,713	27,894	2,181	-	7 1/2 mos.
2,000	Raytheon	(500) 3/04/66 (500) 3/10/66 (500) 3/21/66 (500) 4/05/66	5/03/66	24,617 23,901 22,519 25,783	94,560	-	2,260	2 mos. 1 3/4 mos. 1 1/2 mos. 1 mo.
500	Texas Gulf Sulphur	11/10/65	5/03/66	37,294	51,370	14,076	-	6 mos.
500	Varian Associates	3/10/66	5/03/66	18,223	17,770	-	453	1 3/4 mos.
500	Texas Gulf Sulphur	11/10/65	5/04/66	37,295	49,934	12,639	-	6 mos.
500	TWA	3/10/66	5/04/66	31,727	42,741	11,014	-	1 3/4 mos.
300	Dome Mines Ltd.	5/04/66	11/04/66	12,023	10,509	-	1,424	6 mos.
1,000	Homestake Mining	5/31/66	11/07/66	52,292	34,727	-	17,565	5 mos.
1,700	Dome Mines Ltd.	5/04/66	11/07/66	68,129	56,916	-	11,213	6 mos.
				\$1,213,428	\$1,416,672	\$253,685	\$ 50,441	

1966 NET PROFIT \$203,244

Defendants' Exhibit 98 (c) Continued
A 988

CANDACE VAN ALLEN ACCOUNT AT BANK OF NEW YORK

1967

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
1,220 rta.	RCA	7/18/67	8/01/67	-0-	\$ 175	\$ 175	-	2 weeks
500	Chic., Milw., St. Louis RR	11/15/66	10/02/67	\$ 16,665	23,038	6,373	-	10 1/2 mos.
1,000	Raytheon	(500) 11/04/66 (500) 11/09/66	10/02/67	24,655 24,994	91,092	41,443	-	11 mos. 11 mos.
200	Zenith Radio	11/04/66	10/02/67	10,338	13,598	3,260	-	11 mos.
1,000	Collins Radio	11/09/66	10/03/67	48,355	91,017	42,662	-	11 mos.
1,000	Eastern Airlines	11/09/66	10/03/67	32,978	52,381	19,403	-	11 mos.
500	Fairchild Camera	11/09/66	10/03/67	56,629	138,598	15,145	-	11 mos.
500		1/13/67		66,824				9 mos.
500	STOCK DIVIDEND	5/18/67						5 mos.
2,000	Fairchild Miller	(1000) 11/04/66 (1000) 11/09/66	10/03/67	23,314 14,589	45,844	17,941	-	11 mos. 11 mos.
1,000	Lukens Steel	1/13/67	10/03/67	36,219	39,236	3,017	-	10 1/2 mos.
800	McDonnell Douglas	(750) 11/10/66 (50) 6/13/67	10/03/67	16,392 2,385	37,344	18,567	-	10 1/2 mos. 3 1/4 mos.
500	N.Y. Central RR	11/15/66	10/03/67	32,540	37,866	5,326	-	10 1/2 mos.
2,000	Pan Am	11/04/66	10/03/67	47,312	51,756	4,444	-	11 mos.
1,000	SCM	11/10/66	10/03/67	55,538	56,502	964	-	10 1/2 mos.
500	Texas Gulf Sulphur	11/09/66	10/03/67	43,488	74,379	30,891	-	10 1/2 mos.
100	Xerox Corp.	11/10/66	10/03/67	18,407	28,677	10,270	-	10 1/2 mos.
800	Zenith Radio	(300) 11/04/66 (500) 11/19/66	10/03/67	15,508 27,660	64,168	21,000	-	11 mos. 10 1/2 mos.
1,000	Admiral Corp.	1/13/67	10/04/67	29,838	24,635	-	\$ 5,203	9 mos.
600	Boeing Co.	(400) 11/04/66 (200) 11/15/66	10/04/67	22,628 12,115	51,134	16,391	-	11 mos. 10 1/3 mos.
1,000	Grumman Aircraft	5/08/67	10/04/67	38,380	32,047	-	6,333	5 mos.
1,000	Magnavox	11/09/66	10/04/67	48,619	49,012	393	-	11 mos.
1,000	McDonnell Douglas	11/10/66	10/04/67	38,242	48,054	9,812	-	11 mos.
1,000	Raytheon	(500) 11/15/66 (500) 12/01/66	10/04/67	25,220 26,834	92,240	40,186	-	10 1/2 mos. 10 mos.
300	Reynolds Metals	5/08/67	10/04/67	16,558	14,965	-	1,593	9 mos.
500	Texas Gulf Sulphur	11/09/66	10/04/67	43,489	75,952	32,463	-	11 mos.
1,000	TWA	(500) 11/04/66 (500) 11/09/66	10/04/67	31,952 32,978	58,263	-	6,667	11 mos. 11 mos.

Defendant's Exhibit 98 (c) Continued A-989

1967 (Cont'd)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
1000 Wts.	TNA (500) (500)	11/04/66 1/13/67	10/04/67	\$ 21,451 29,419	\$ 40,380	-	\$ 10,490	11 mos. 9 mos.
200	Amer. Photocopy Equip.	8/04/67	10/10/67	2,287	1,812	-	475	2 mos.
1000	Chrysler Corp.	1/13/67	10/10/67	35,114	52,506	\$ 17,392	-	9 mos.
1000 20	RCA STOCK DIVIDEND	11/16/66 1/30/67	10/10/67	48,807	61,440	12,633	-	11 mos. 8-1/2 mos.
100	Tektronix	6/13/67	10/10/67	4,818	5,400	582	-	4 mos.
2	Allied Chemical	4/11/66	10/10/67	-0-	81	81	-	18 mos.
500	General Motors	11/10/66	10/11/67	36,919	42,049	5,130	-	11 mos.
500	P. Lorillard	4/02/64	10/11/67	24,215	25,379	1,164	-	3-1/2 years
166	Loyal Protective Life	6/22/65*	10/11/67	N.A.	5,078	N.A.	-	2-1/4 years
1000	Sperry Rand	5/08/67	10/12/67	34,234	45,666	11,432	-	5 mos.
\$20,000	Columbus, Ohio	5/03/66	10/13/67	20,098	17,850	-	2,248	17 mos.
\$20,000	Conn. Highway Sys.	5/03/66	10/13/67	19,846	18,476	-	1,370	17 mos.
\$6,000	NYC - Transit	2/07/66*	10/13/67	-0-	4,525	4,525	-	20 mos.
\$20,000	Rhode Island	5/03/66	10/13/67	20,151	18,350	-	1,801	17 mos.
\$20,000	Cal. Constr. Ser. M	5/03/66	10/13/67	19,907	17,900	-	2,007	17 mos.
\$20,000	Oregon Vet. Welfare	5/03/66	10/13/67	19,808	17,900	-	1,908	17 mos.
30 Rts.	SCM Corp.	5/03/66	11/08/67	-0-	12	12	-	18 mos.
				\$1,308,717	\$1,661,711	\$393,089	\$40,095	

1967 NET PROFIT \$ 352,994

* Received into account; recorded in monthly statement.

Defendant's Exhibit 98(c) Continued A-990

CANDACE VAN ALLEN ACCOUNT AT BANK OF NEW YORK

1968

<u>Quantity</u>	<u>Description</u>	<u>Acquisition Date</u>	<u>Sales Date</u>	<u>Purchase Price</u>	<u>Sales Price</u>	<u>Profit</u>	<u>Loss</u>	<u>Time Held</u>
50	McDonnell Douglas	5/04/67	1/04/68	\$ 2,328	\$ 2,494	\$ 166	-	7 mos.
30	SCM	10/18/67	1/04/68	-0-	1,660	1,660	-	2-1/2 mos.
\$50,000	Baltimore, Md.	11/02/67	10/15/68	50,762	50,000	-	\$ 762	11-1/2 mos.
1000	Raytheon Co.	4/18/68	11/06/68	92,707	42,060	-	50,647	6-1/2 mos.
1000	Raytheon Co.	N.A.	11/06/68	N.A.	42,059	-	-	-
100	IBM	4/18/68	10/15/68	63,825	62,948	-	877	6 mos.
	STOCK SPLIT (2 for 1)	5/24/68						
1000	Chromalloy Amer.	4/08/68	10/28/68	39,636	52,418	12,782	-	6-1/2 mos.
1000	Chrysler Corp.	4/08/68	10/28/68	63,203	66,492	3,289	-	6-1/2 mos.
1000	Eastern Airlines	4/08/68	10/28/68	34,611	27,259	-	7,352	6-1/2 mos.
500	General Motors	4/08/68	10/28/68	41,098	42,374	1,276	-	6-1/2 mos.
500	Itek	4/15/68	10/28/68	45,177	46,357	1,180	-	6-1/2 mos.
1000	Litton Industries	4/08/68	10/28/68	71,461	78,230	6,769	-	6-1/2 mos.
1000	Pan Am World Airways	4/08/68	10/28/68	23,426	24,635	1,209	-	6-1/2 mos.
1000	Texas Gulf Sulphur	4/08/68	10/28/68	119,284	100,034	-	19,250	6-1/2 mos.
	STOCK SPLIT (3 for 1)	6/04/68						
1000	TWA	4/08/68	10/28/68	43,279	44,285	1,006	-	6-1/2 mos.
200	Xerox Corp.	4/08/68	10/28/68	52,831	53,907	1,076	-	6-1/2 mos.
1000	Zenith Radio	4/08/68	10/28/68	65,417	55,253	-	10,164	6-1/2 mos.
1000	Columbia Broadcasting	4/11/68	10/29/68	54,181	52,294	-	1,887	6-1/2 mos.
1000	Delta Airlines	4/08/68	10/29/68	29,586	34,211	4,625	-	6-1/2 mos.
1000	Fairchild Hiller	4/15/68	10/29/68	19,317	18,331	-	986	6-1/2 mos.
2000	Fansteel Inc. (1000)	4/08/68	10/29/68	35,365	57,453	-	15,488	6-1/2 mos.
	(1000)	4/11/68		37,576				6-1/2 mos.
1000	Kaiser Alumn. & Chem.	4/11/68	10/29/68	42,149	38,950	-	3,199	6-1/2 mos.
2000	Ogden Corp. (1000)	4/11/68	10/29/68	43,016	68,771	-	17,160	6-1/2 mos.
	(1000)	4/15/68		42,915				6-1/2 mos.
300	Electro Nucleonics (300)	5/28/68	10/31/68	23,841	7,888	-	637	5 mos.
	(600)	9/30/68			15,316			
	STOCK SPLIT (3 for 1)	9/30/68						
1000	Twentieth Century Fox	4/11/68	10/31/68	33,908	33,602	-	306	6-1/2 mos.
\$20,000	East Haven, Conn.	10/24/67	11/06/68	20,164	20,000	-	164	12-1/2 mos.
\$10,000	East Haven, Conn.	10/24/67	11/06/68	10,082	10,000	-	82	12-1/2 mos.
\$145,000	East Haven, Conn.	10/24/67	11/06/68	146,189	145,000	-	1,189	12-1/2 mos.
500/1000th	Litton Industries	11/15/68	12/27/68	-0-	40	40	-	1-1/2 mos.
				<u>\$1,347,334</u>	<u>\$1,252,262</u>	<u>\$35,078</u>	<u>\$130,150</u>	

1968 NET LOSS \$ 95,072

N.A. - Not included in totals.

Defendant's Exhibit 98 (c) Continued
A-991

DEFENDANTS' EXHIBIT 98(D)Candace Van Alen, Account at Dominick, Schedule of Transactions, 1953-1968CANDACE VAN ALENACCOUNT AT DOMINICKSCHEDULE OF TRANSACTIONS, 1953-1968SOURCE:

1. 1953-1963: Monthly Statements (Defendants' Exhibit 16).
2. 1964-1968: (a) Candace Van Alen, Combined Accounts at Dominick and Empire Trust/Bank of New York, Chronological List of Transactions By Trade Date, 1964-1968 (Defendants' Exhibit).
(b) Monthly Statements (Defendants' Exhibit 16) and "confirmation" slips (Defendants' Exhibit 17).

NOTE: Transaction dates in period 1953-1963 are settlement dates per monthly statements; transaction dates in period 1964-1968 are trade dates per confirmation slips.

CANDACE VAN ALLEN ACCOUNT AT DOMINICK & DOMINICK

1953-1957

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
1953								
100 Shs.	Novadel Ag. Corp.	7/14/53	N.A.	N.A.	N.A.	-	-	-
100	Interntl. Nickel Canada	7/31/53	9/10/53	\$ 2,462	\$ 3,836	\$ 1,374	-	1-1/2 mos.
100	Elliott Co. 51 Cy. 2d Pfd.	7/31/53	9/10/53	2,650	4,687	2,037	-	1-1/2 mos.
				\$ 5,112	\$ 8,523	\$ 3,411		
1953 NET PROFIT						\$ 3,411		
1954								
No Activity								
1955								
100	Continental Baking	7/31/53	4/21/55	\$ 2,325	\$ 3,308	\$ 983	-	2 1/2 mos.
100	Goodyear Tire & Rubber	7/31/53	4/21/55	5,000	12,600	7,600	-	2 1/2 mos.
1	STOCK DIVIDEND (STOCK SPLIT 2 for 1)	12/21/53 1/22/55						18 mos.
110	Wallace & Tiernon Inc.	7/31/53	5/06/55	2,512	2,512	-	-	2 1/2 mos.
100	Amer. Smelting & Refin.	7/30/54	7/06/55	3,909	5,112	1,203	-	1 1/2 mos.
100	Southern Pacific	7/27/54	7/06/55	4,412	6,024	1,612	-	1 1/2 mos.
				\$ 18,158	\$ 29,646	\$ 11,488		
1955 NET PROFIT : : : : :						\$ 11,488		
1956								
\$10,000	N. J. Turnpike 2.80	4/28/55	1/24/56	\$ 9,800	\$ 10,075	\$ 275	-	9 mos.
50 Shs.	Pacific Lighting Corp.	7/31/53	3/05/56	5,800	3,800	-	\$ 1,932	1 1/2 mos.
50	STOCK DIVIDEND	11/13/53						28-1/2 mos.
\$5,000	Missouri Pac. R.R.	7/31/53	3/12/56	5,304	4,910	-	394	1 1/2 mos.
100 Shs.	Shell Oil Pfd. 7.50	1/24/56	10/31/56	6,767	7,553	1,633	-	8 mos.
10	STOCK DIVIDEND	10/16/56			747			2 weeks
100	Olin Mathieson Chem.	3/05/56	6/29/56	5,553	5,310	-	235	3-1/2 mos.
100	St. Regis Paper Co.	3/23/56	6/29/56	4,826	5,055	229	-	3 mos.
100	Pure Oil Co.	7/20/56	10/31/56	4,613	3,948	-	665	3-1/2 mos.
100	Union Bag/Camp Corp.	7/20/56	10/31/56	4,487	3,314	-	1,173	3-1/2 mos.
100	Atlantic Refin. \$10 Pfd.	11/19/56	N.A.	4,349*	N.A.	-	-	
				\$ 47,250	\$ 44,788	\$ 1,937	\$ 4,399	
1956 NET LOSS						\$ 2,462		
1957								
100 Rghts.	Phillips Petroleum Co.	1/11/57	1/16/57	N.A.	N.A.	-	-	1 week

* Not included in totals.

Defendants Exhibit 98 (D) Continued

Quantity	Description	Acquisition Date	Sales Date	1958-1962		Profit	Loss	Time Held
				Purchase Price	Sales Price			
<u>1958</u>								
	No Activity							
<u>1959</u>								
100 Shs.	Lockheed Aircraft	11/19/56	8/13/59	\$ 5,428	\$ 5,673	\$ 245	\$ -	33 mos.
100	STOCK DIVIDEND	2/03/59		\$ 5,428	\$ 5,673	\$ 245		
1959 NET PROFIT						\$ 245		
<u>1960</u>								
100	RCA	5/28/59	6/25/60	\$ 6,683	\$ 6,273	\$ -	\$ 307	13 mos.
2	STOCK DIVIDEND	2/02/60	9/23/60		103			16 mos.
102	Sperry Rand Corp.	5/28/59	6/25/60	2,833	2,315	-	518	13 mos.
100	Firestone Tire & Rubber	6/16/60	9/23/60	3,737	3,433	-	304	3 mos.
100	Aluminum Ltd.	6/16/60	9/28/60	3,298	2,936	-	362	3-1/2 mos.
100	Granite City Steel	6/16/60	9/28/60	3,637	3,458	-	179	3 mos.
				\$ 20,188	\$ 18,518	\$ -	\$ 1,670	
1960 NET LOSS							\$ 1,670	
<u>1961</u>								
100 Wts.	Alleghany Corp.	1/25/61	-	\$ 815*	N.A.	-	-	-
200 Shs.	Avco Corp.	4/26/61	-	3,827*	N.A.	-	-	-
30	Reynolds Metals	4/26/61	-	1,539*	N.A.	-	-	-
100	Philips Petroleum	11/19/56	4/26/61	5,303	\$ 5,842	\$ 539	\$ -	4-1/2 yrs.
				\$ 5,303	\$ 5,842	\$ 539	\$ -	
1961 NET PROFIT						\$ 539		
<u>1962</u>								
100	North American Aviation	N.A.	3/13/62	N.A.	\$ 6,785*	-	-	-
100	Chrysler Corp.	N.A.	4/02/62	N.A.	5,499*	-	-	-
100	General Electric	N.A.	4/02/62	N.A.	7,596*	-	-	-
300	Pan Am	N.A.	4/02/62	N.A.	6,758*	-	-	-
400	Avco Corp.	3/15/62	4/24/62	\$ 11,030	10,002	-	928	1 mo.
100	Kaiser Alum. & Chem.	4/30/62	5/02/62	3,662	3,200	-	440	3 days
100	Reynolds Metals	4/30/62	5/02/62	3,511	3,200	-	289	3 days
500	Studebaker Packard	N.A.	5/17/62	N.A.	3,948*	-	-	-
100	Amer.-South African Inv.	6/19/62	8/01/62	3,059	2,911	-	148	1-1/2 mos.
400	Dome Mines	6/19/62	8/01/62	5,967*	N.A.	-	-	1-1/2 mos.
200	Campbell Red Lake Mines	5/17/62	8/01/62	3,094	2,973	-	121	2-1/2 mos.
400	Zenith Radio	8/31/62	9/25/62	20,626	18,997	-	1,629	2 mos.
200	Avco Corp.	8/02/62	9/27/62	4,458	4,456	-	2	2 mos.
400	Kaiser Alum. & Chem. (200)	7/26/62	9/27/62	6,674	13,260	-	85	2 mos.
	(200)	8/01/62		6,671		-		2 mos.
200	Reynolds Metals	7/26/62	9/27/62	N.A.	N.A.	-	-	2 mos.
200		8/01/62	9/27/62	5,264*	N.A.	-	-	1-1/2 mos.

* Not included in totals.

Defendant's Exhibit 98 (0) Continued
A-994

1962-1967									
Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held	
1962 (Cont'd.)									
200 Shs.	Homestake Mining (100)	5/17/62	11/27/62	\$ 5,082	\$ 9,378	\$ -	\$ 1,324	6 mos.	
	(100)	6/19/62		5,620				5 mos.	
200	Alum. Co. of America	10/16/62	12/14/62	10,789	10,998	209	-	2 mos.	
300	Celanese Corp. (100)	7/26/62	12/14/62	3,525	11,033	360	-	4-1/2 mos.	
	(200)	8/01/62		7,148				4-1/2 mos.	
300	Emerson Elec. Mfr.	11/27/62	12/14/62	9,303	8,534	-	769	3 weeks	
200	Ford Motor (100)	8/02/62	12/14/62	4,265	8,880	199	-	4-1/2 mos.	
	(100)	10/16/62		4,416				2 mos.	
200	General Tire & Rb. (100)	8/24/62	12/14/62	2,557	4,283	-	251	3-1/2 mos.	
	(100)	10/16/62		1,977				2 mos.	
200	Granite City Steel	8/02/62	12/14/62	5,465	5,623	158	-	4 mos.	
100	Jones & Loughlin Steel	8/02/62	12/14/62	4,617	4,652	35	-	4 mos.	
200	Magnavox	7/27/62	12/14/62	7,123	7,214	91	-	4-1/2 mos.	
100	Natl. Cash Register	7/27/62	12/14/62	8,272	8,432	160	-	4-1/2 mos.	
500	N.Y. Central R.R.	11/21/62	12/14/62	6,979	7,496	517	-	3 weeks	
400	Zenith Radio Corp.	10/26/62	12/14/62	18,844	21,971	3,127	-	1-1/2 mos.	
100	Burroughs	6/16/60	3/13/62	3,863	4,366	503	-	21 mos.	
				\$172,630	\$ 172,003	\$ 5,359	\$ 5,986		
1962 NET LOSS							\$ 627		
1963									
300	Celanese Corp.	12/18/62	7/08/63	\$ 11,363	\$ 13,233	\$ 1,870	-	7 mos.	
400	Zenith Radio Corp.	12/18/62	7/08/63	22,128	24,436	2,308	-	7 mos.	
200	Alum. Co. of America	12/18/62	7/23/63	11,051	12,945	1,894	-	7 mos.	
100	Armour & Co.	1/09/63	7/23/63	4,378	4,105	-	274	7-1/2 mos.	
200	Ford Motor	12/18/62	7/23/63	9,234	11,000	1,766	-	7 mos.	
200	General Tire & Rubber	1/09/63	7/23/63	4,307	4,555	248	-	6-1/2 mos.	
100	Jones & Loughlin Steel	1/09/63	7/23/63	4,980	5,436	456	-	6-1/2 mos.	
200	Magnavox	12/18/62	7/23/63	7,538	8,209	671	-	7 mos.	
300	Reynolds Metals	12/18/62	7/23/63	7,255	9,815	2,560	-	7 mos.	
100	Thompson Rand Wooldridge	N.A.	7/23/63	N.A.	5,424*	-	-	-	
10	STOCK DIVIDEND	2/05/63			534*			5-1/2 mos.	
200	Aluminum Ltd.	6/07/63	7/26/63	5,440	4,952	-	488	1-1/2 mos.	
200	Int'l. Tel. & Tel.	5/16/63	7/26/63	9,837	9,626	-	211	2 mos.	

* Not included in totals.

Defendants' Exhibit 98 (D) (Continued) A995

1963 (Cont'd.)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
200	Montgomery Ward	5/16/63	7/26/63	\$ 7,626	\$ 7,351	\$	\$ 275	2 mos.
200	Royal Dutch Petroleum	10/16/62	7/26/63	8,153	9,179	1,026	-	9 mos.
100	Richfield Oil	4/30/62	7/23/63	4,165	4,254	89	-	15 mos.
200	Chrysler Corp.	5/17/63	7/23/63	10,939	11,897	958	-	2 mos.
600	Admiral Corp. (300)	5/17/63	7/23/63	11,299	10,590	-	709	2 mos.
	(300)	6/07/63						1-1/2 mos.
300	Olin Mathieson Chemical	6/07/63	10/02/63	12,192	12,368	176	-	4 mos.
300	Bell & Howell	6/12/63	10/02/63	8,687	4,579	-	1,892	4 mos.
			12/27/63		2,216			6-1/2 mos.
200	Alum. Co. of America	10/14/63	12/27/63	13,604	13,555	-	49	2-1/2 mos.
200	B. F. Goodrich	10/14/63	12/27/63	12,277	10,634	-	1,643	2-1/2 mos.
300	Burroughs (100)	1/09/63	10/04/63	2,936	7,838	-	1,669	9 mos.
	(200)	6/07/63		6,571				4 mos.
300	Reynolds Metals	8/22/63	10/02/63	10,270	9,877	-	393	1-1/2 mos.
100	United Aircraft	4/30/62	10/02/63	4,855	4,092	-	763	18 mos.
100	United Aircraft	N.A.	10/02/63	N.A.	4,079*	-	-	-
200	Kaiser Alum. & Chem.	8/22/63	10/02/63	7,236	6,618	-	618	1-1/2 mos.
200	Consol. Coal Co.	8/22/63	10/04/63	8,983	8,781	-	202	1-1/2 mos.
200	U. S. Steel	8/20/63	10/02/63	9,887	10,624	737	-	1-1/2 mos.
200	Ford Motor Co.	8/20/63	10/04/63	10,376	10,624	248	-	1-1/2 mos.
200	Emerson Electric Mfr.	5/16/63	10/02/63	7,299	6,991	-	308	4-1/2 mos.
100	Olin Mathieson	5/16/63	10/02/63	4,121	4,162	41	-	4-1/2 mos.
400	Copper Range Co.	5/16/63	10/04/63	9,925	9,060	-	865	4-1/2 mos.
200	Western Union Telegraph	5/16/63	10/02/63	6,194	6,133	-	61	4-1/2 mos.
200	Int'l. Tel. & Tel.	10/14/63	12/27/63	9,837	10,738	901	-	2-1/2 mos.
200	Lorillard & Co.	5/17/63	12/30/63	10,538	9,061	-	1,477	7-1/2 mos.
300	Montgomery Ward	10/16/63	12/27/63	11,627	9,815	-	1,812	2-1/2 mos.
200	Westinghouse Elec.	10/14/63	12/27/63	8,141	6,448	-	1,693	2-1/2 mos.
300	Zenith Radio Corp.	10/22/63	12/27/63	20,462	22,746	2,284	-	2 mos.
200	Armco Steel	10/23/63	12/27/63	13,191	13,220	29	-	2 mos.
200	Jones & Loughlin Steel	10/14/63	12/30/63	12,741	13,045	304	-	1-1/2 mos.
200	Addressograph Multigr.	10/25/63	12/27/63	12,916	11,672	-	1,244	2 mos.
300 Wts.	Tri-Continental Corp.	10/25/63	12/30/63	11,803	10,473	-	1,330	2 mos.
100 Shs.	Natl. Cash Register	12/18/62	12/30/63	8,422	7,548	-	874	12-1/2 mos.
200	Granite City Steel	12/18/62	12/30/63	6,867	4,778	-	1,089	12-1/2 mos.
200	Burroughs Corp.	7/27/62	12/30/63	8,078	4,604	-	3,474	17 mos.
				\$408,720	\$403,883	\$48,866	\$23,412	
1963 NET LOSS							\$ 4,846	

Defendant's Exhibit 98(D) (continued)

* Not included in totals.

A-996

CANDACE VAN ALLEN ACCOUNT AT DOMINICK & DOMINICK

1964

<u>Quantity</u>	<u>Description</u>	<u>Acquisition Date</u>	<u>Sales Date</u>	<u>Purchase Price</u>	<u>Sales Price</u>	<u>Profit</u>	<u>Loss</u>	<u>Time Held</u>
200 shs.	Eastern Air Lines	10/19/63	1/20/64	\$ 5,214	\$ 6,282	\$ 1,068	-	3 mos.
212	United Air Lines	10/19/63	1/20/64	7,550	9,682	2,132	-	3 mos.
\$57,000	Gen. Motors Accept. 48-3/1/79	12/23/63	3/09/64	54,506	54,104	-	\$ 402	2-1/2 mos.
\$12,000	Gen. Motors Accept. 38-7/15/69	12/11/63	3/09/64	11,932	11,214	-	718	3 mos.
\$6,000	Gen. Motors Accept. 48-3/1/79	12/23/63	3/11/64	5,738	5,682	-	56	2-1/2 mos.
\$21,000	Gen. Motors Accept. 38-7/15/69	12/11/63	3/11/64	20,881	19,625	-	1,256	2-1/2 mos.
\$28,000	Gen. Motors Accept. 38-7/15/69	12/11/63	3/13/64	27,841	26,131	-	1,710	3 mos.
\$36,000	Gen. Motors Accept. 38-7/15/69 (29,000) 12/11/63 (7,000) 1/22/64	12/11/63	3/18/64	28,834 6,562	33,552	-	1,844	3 mos. 2 mos.
\$9,000	Gen. Motors Accept. 38-7/15/69	1/22/64	4/02/64	8,438	8,343	-	95	2-1/2 mos.
200 shs.	Firestone Tire & Rubber	3/09/64	7/27/64	8,581	7,936	-	645	4-1/2 mos.
100	General Electric	10/09/63	7/27/64	7,947	8,370	423	-	10-1/2 mos.
200	Goodyear Tire & Rubber	10/09/63	7/27/64	8,141	8,656	515	-	10-1/2 mos.
200	Montgomery Ward	3/13/64	7/27/64	7,300	7,612	312	-	4-1/2 mos.
200	National Lead	3/18/64	7/27/64	14,968	15,617	649	-	4-1/2 mos.
200	Republic Steel	3/11/64	7/27/64	8,756	8,806	50	-	4-1/2 mos.
200	Westinghouse Electric	3/11/64	7/27/64	7,249	6,469	-	780	4-1/2 mos.
105	Eastman Kodak	10/09/63	8/03/64	11,200	13,580	2,380	-	11 mos.
300	Granite City Steel	3/11/64	8/03/64	8,047	7,614	-	433	11 mos.
400	U.S. Steel	(200) 3/09/64 (200) 3/18/64	8/03/64	11,614 11,915	23,394	-	135	5 mos. 4-1/2 mos.
204	International Paper	10/09/63	8/04/64	7,199	6,479	-	720	11 mos.
\$33,000	So. Cal. Edison 38-9/1/65	7/27/64	8/27/64	33,000	32,834	-	166	1 mo.
\$18,000	So. Cal. Edison 38-9/1/65	7/27/64	8/28/64	18,000	17,922	-	78	1 mo.
\$10,000	So. Cal. Edison 38-9/1/65	7/27/64	9/02/64	10,000	50,718	-	230	1-1/2 mos.
\$41,000		7/27/64	9/02/64	40,948				1-1/2 mos.
\$2,000	So. Cal. Edison 38-9/1/65	8/03/64	12/04/64	1,997	5,929	-	60	4 mos.
\$4,000		8/04/64		3,992				4 mos.
				\$798,350	\$796,551	\$7,529	\$9,328	

NET LOSS 1964

Defendants Exhibit 98(C) Continued A-997

CANDACE VAN ALEN ACCOUNT AT DOMINICK & DOMINICK

1965

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
102 shs.	Litton Industries	8/28/64	1/13/65	\$ 6,883	\$ 8,023	\$ 1,140	-	4-1/2 mos.
500	Lockheed Aircraft (300)	8/27/64	1/13/65	11,137	18,360	-	\$ 478	4-1/2 mos.
	(200)	9/02/64		7,701				4-1/2 mos.
200	North Amer. Aviation	8/28/64	1/20/65	10,138	10,274	136	-	5 mos.
200	United Aircraft	8/27/64	1/20/65	10,538	12,646	2,108	-	5 mos.
306	St. Regis Paper	3/09/64	3/10/65	8,893	10,400	507	-	12 mos.
200	W. Va. Pulp & Paper	4/02/64	3/10/65	8,782	9,104	322	-	11 mos.
\$11,000	So. Cal. Edison 38- (1000)	8/04/64	3/15/65	998	10,912	-	36	7-1/2 mos.
	9/1/65	(10000)	3/10/65	9,950				5 days
200 shs.	E. J. Korvette	9/02/64	3/17/65	7,199	8,657	1,458	-	6-1/2 mos.
400	N.Y. Central RR (300)	9/02/64	3/17/65	12,871	22,671	4,331	-	6-1/2 mos.
	(100)	1/13/65		5,469				2 mos.
500	Pan Amer. World Airways	1/13/65	3/17/65	18,296	15,363	67	-	2 mos.
400	Penn RR (200)	1/13/65	3/17/65	8,229	18,845	2,146	-	2 mos.
	(200)	1/20/65		8,480				2 mos.
330	PCH	12/04/64	3/17/65	11,024	10,460	=	564	3-1/2 mos.
300	Allegheny Indium Steel	3/18/64	3/18/65	12,871	12,537	=	434	12 mos.
300	Atch., Top. & Santa Fe	9/02/64	3/18/65	10,408	9,740	=	668	6-1/2 mos.
300	Bethlehem Steel (200)	9/02/64	3/18/65	7,827	7,637	=	190	6-1/2 mos.
	(100)		3/19/65	3,013	3,781	=	132	6-1/2 mos.
100	Pepsi-Cola	1/20/65	3/18/65	6,270	7,284	1,014	-	2 mos.
200	Reynolds Metals	3/09/64	3/18/65	8,076	7,488	-	588	12 mos.
300	Sperry Rand Corp.	3/13/64	3/18/65	5,551	4,163	-	1,388	12 mos.
100	Alum. Co. of America	3/09/64	3/18/65	7,834	6,722	-	1,112	12 mos.
200	Ford Motors	3/09/64	3/18/65	11,364	10,574	-	790	12 mos.
300	General Dynamics	8/27/64	3/18/65	9,969	11,045	1,076	-	7 mos.
200	Kaiser Alum. & Chem.	3/13/64	3/18/65	7,902	6,145	-	1,757	12 mos.
108	Mfrs. Hanover Trust	N.A.	6/09/65	N.A.	5,019 ^a	-	-	--
100	Royal Crown Cola	1/20/65	6/09/65	2,368	2,104	-	264	5-1/2 mos.
\$37,000	So. Cal. Edison 38- (9000)	3/10/65	6/25/65	18,905	36,981	-	9,868	3-1/2 mos.
	9/1/65	(28000)	3/17/65	27,944				3 mos.

^a Not included in totals.Defendants' Exhibit 98 (D) Continued
A998

1965 (Cont'd.)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
\$24,000	So. Cal. Edison 34-9/1/65	3/17/65	6/28/65	\$ 23,952	\$ 24,097	\$ 145	-	3-1/2 mos.
\$12,000	So. Cal. Edison 34-9/1/65	3/17/65	6/29/65	11,976	12,024	48	-	3-1/2 mos.
\$97,000	So. Cal. Edison 34-(11,000) 9/1/65 (49,000) 3/18/65 (37,000) 3/19/65	3/17/65 3/18/65 3/19/65	8/18/65	10,941 48,939 36,990	96,709	-	161	5 mos. 5 mos. " "
100 shs.	Amer. So. Afr. Invest.	6/28/65	8/30/65	5,432	7,509	2,077	-	2 mos.
100	Dome Mines Ltd.	6/28/65	8/30/65	3,863	4,042	179	-	2 mos.
400	Amer. So. Afr. Invest. (200) 6/28/65 (200) 6/29/65	6/28/65 6/29/65	8/31/65	10,864 10,964	29,161	7,333	-	2 mos. 2 mos.
100	Dome Mines Ltd.	6/28/65	8/31/65	3,863	3,918	55	-	2 mos.
\$3,000	Jos. E. Seagram 2-1/24-6/1/66	6/09/65	8/31/65	2,989	2,083	-	8	2-1/2 mos.
\$48,000	Jos. E. Seagram 2-1/24-(3000) 6/09/65 (45,000) 8/18/65	6/09/65 8/18/65	9/02/69	2,989 44,828	41,825	10	=	3 mos. 2 weeks
1,000 shs.	Dome Mines Ltd.	6/25/65	9/02/69	36,797	38,583	1,786	-	2 mos.
\$45,000	Jos. E. Seagram 2-1/24-6/1/65	8/18/65	9/08/69	44,826	44,794	-	32	3 weeks
\$3,000	Jos. E. Seagram 2-1/24-6/1/66	8/18/65	9/22/69	2,988	2,990	2	-	1 mo.
\$4,000	Jos. E. Seagram 2-1/24-6/1/66	8/18/65	9/28/69	3,986	3,988	2	-	1 mo.
500 shs.	St. Regis Paper (200) 8/31/65 (300) 9/02/65	8/31/65 9/02/65	11/16/65	7,224 10,873	17,184	-	993	2-1/2 mos. 2-1/2 mos.
500	International Paper (200) 8/31/65 (300) 9/02/65	8/31/65 9/02/65	11/16/65	6,189 5,441	15,239	-	311	2-1/2 mos. 2-1/2 mos.
				\$ 828,782	\$ 832,892	\$ 25,942	\$ 19,832	

1965 NET PROFIT \$ 6,110

Defendants' Exhibit 98 (D) Continued
A-999

CANDACE VAN ALLEN ACCOUNT AT DOMINICK & DOMINICK

1966

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
300 shs.	Automatic Retailers of Am.	9/24/65	4/25/66	\$ 14,064	\$ 14,856	\$ 792	-	7 mos.
500	Canteen Corp.	9/02/65	4/25/66	11,039	16,116	4,277	-	7-1/2 mos.
200	Crucible Steel	12/21/65	4/25/66	5,566	6,098	532	-	4 mos.
100	Lukens Steel	12/17/65	4/25/66	4,516	4,803	287	-	4 mos.
300	Penn RR	9/08/65	4/25/66	14,768	20,512	5,744	-	7-1/2 mos.
500	TWA	(200) 8/31/65 (300) 9/02/65	4/25/66	10,251 15,407	42,616	16,958	-	8 mos. 7-1/2 mos.
600	Vendo Co.	(500) 11/16/65 (100) 12/02/65	4/25/66	17,783 3,687	21,354	-	\$ 116	5 mos. 4-1/2 mos.
300	Amer. Smelting & Refg.	9/08/65	4/27/66	16,709	20,660	3,941	-	7-1/2 mos.
500	Chrysler Corp.	(200) 3/15/65 (28) 5/12/65 (200) 8/30/65 (72) 9/02/65	4/27/66	11,640 1,344 10,038 3,536	23,702	-	2,856	11-1/2 mos. 11-1/2 mos. 8 mos. 7 mos.
900	Fairchild Miller Corp.	(600) 9/28/65 (300) 4/13/66	4/27/66	9,132 6,498	16,950	1,320	-	7 mos. 2 weeks
400	General Tire & Rub.	(300) 3/09/64 (100) 3/01/66	4/27/66	7,368 3,499	13,751	2,884	-	25-1/2 mos. 2 mos.
500	Pan Amer. World Airways	9/02/65	4/27/66	15,547	34,999	19,452	-	7-1/2 mos.
800	RCA	(300) 8/31/65 (500) 9/02/65	4/27/66	11,326 19,253	46,558	15,979	-	8-1/2 mos. 7-1/2 mos.
300	Reynolds Metals	9/08/65	4/27/66	13,926	19,463	5,537	-	7-1/2 mos.
100 Wts.	TWA	2/10/66	4/27/66	4,881	6,554	1,673	-	2-1/2 mos.
100 Wts.	Tri-Continental Corp.	11/16/65	4/27/66	4,629	3,936	-	693	5-1/2 mos.
196 shs.	N.Y. Central RR*	4/11/66	4/28/66	3,750*	15,785*	-	-	--
200	Revlon	9/22/65	4/28/66	8,832	10,179	1,347	-	7 mos.
200	General Dynamics	9/22/65	5/04/66	8,606	11,527	2,921	-	7-1/2 mos.
500	Ogden Corp.	(100) 4/04/66 (400) 4/14/66	5/04/66	2,368 9,522	11,392	-	498	1 mo. 3 weeks
100	Valve Corp. of Amer.	12/28/65	5/04/66	2,254	2,142	-	112	4 mos.
500	Varian Associates	11/16/65	5/04/66	13,097	16,924	3,827	-	5-1/2 mos.

* Not included in totals. Price represents differential on exchange of Allegheny Corp. warrants for N.Y. Central shares; price of warrants not available.

Defendants Exhibit 98 (D) Continued A1000

1966 (Cont'd.)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
\$53,000	Phila. Elec. 2-3/48-11/1/67	4/25/66	5/31/66	\$ 51,820	\$ 53,000	\$ 1,180	-	1 mo.
200 Shs.	Fairchild Miller Corp.	4/21/66	8/01/66	4,231	2,849	-	\$ 1,382	3-1/2 mos.
1,000	Dome Mines Ltd.	5/04/66	11/04/66	39,486	35,629	-	3,857	6 mos.
1,000	Homestake Mining	5/31/66	11/04/66	51,916	35,641	-	16,275	5 mos.
300	United Aircraft	N.A.	1/05/66	N.A.	730*	-	-	-
1,000	Unit Aircraft	N.A.	1/05/66	N.A.	2,442*	-	-	-
\$160,000	Phila. Elec. (69,000) 2-3/48-11/1/67 (91,000)	4/25/66 4/27/66	11/07/66	67,463 89,194	157,377	720	-	10-1/2 mos. 10-1/2 mos.
\$86,000	Phila. Elec. 2-3/48-11/1/67	4/27/66	11/09/66	84,293	84,570	277	-	6-1/2 mos.
\$18,000	Phila. Elec. (8,000) 2-3/48-11/1/67 (10,000)	4/27/66 4/28/66	11/15/66	7,841 9,813	17,670	16	-	6-1/2 mos. 6-1/2 mos.
				\$ 687,943	\$751,818	\$89,664	\$25,789	
1966 NET PROFIT						\$63,875		

* Not included in totals.

Defendants' Exhibit 98(D) Continued
A-1001

CANDACE VAN ALLEN ACCOUNT AT DOMINICK & DOMINICK

Quantity	Description	Acquisition Date	Sales Date	1967 Purchase Price	Sales Price	Profit	Loss	Time Held
200 Shs.	Beckman Instruments	11/15/66	10/02/67	\$ 8,731	\$ 15,596	\$ 6,865	-	10-1/2 mos.
500	Collins Radio	1/10/66	10/02/67	24,919	45,683	20,764	-	10-1/2 mos.
100	Polaroid Corp.	(50) 11/15/66 (50) 1/05/67	10/02/67	7,732 8,195	19,499	3,572	-	10-1/2 mos. 9 mos.
600	Raytheon Co.	(400) 11/04/66 (200) 12/01/66	10/02/67	19,648 10,739	54,655	24,268	-	11 mos. 10 mos.
400	Eastern Airlines	11/04/66	10/03/67	24,380	52,756	21,730	-	11 mos.
100	STOCK SPLIT (2 for 1)	11/15/66 7/05/67		6,646				10-1/2 mos.
100	General Precision	5/01/67	10/03/67	7,772	6,749	-	\$ 1,023	5-1/2 mos.
100	KLM Royal Dutch Airl.	1/23/67	10/03/67	10,887	7,061	-	3,826	8-1/2 mos.
1,000	Lukens Steel	(200) 12/13/66 (500) 1/05/67 (300) 5/08/67	10/03/67	7,098 17,456 12,305	38,900	2,041	-	10 mos. 9 mos. 5 mos.
500	Pan Am STOCK SPLIT (2 for 1)	11/04/66 5/31/67	10/03/67	23,612	25,754	2,142	-	11 mos.
500	Raytheon Co.	11/09/66	10/03/67	25,220	45,333	20,113	-	11 mos.
500	SCM	11/09/66	10/03/67	26,722	28,076	1,354	-	11 mos.
500	Texasgulf	(300) 11/04/66 (200) 11/07/66	10/03/67	25,567 17,145	74,716	32,004	-	11 mos. 11 mos.
500 Wts.	TWA	11/04/66	10/03/67	21,427	20,389	-	1,038	11 mos.
1,500 Shs.	Amer. Photocopy Equip.	9/12/67	10/04/67	16,013	13,965	-	2,048	3 weeks
300	Boeing	11/04/66	10/04/67	16,971	25,529	8,558	-	11 mos.
600	Grumman Aircraft	5/01/67	10/04/67	20,918	19,258	-	1,660	5 mos.
500	Chromalloy Amer. STOCK SPLIT (3 for 2)	7/11/67 10/15/67	10/04/67	26,146	25,462	-	684	3 mos.
2,800	Fairchild Hiller	(1,000) 11/07/66 (1,000) 11/09/66 (400) 1/05/67 (400) 3/08/67	10/04/67	13,831 14,589 7,452 9,472	63,839	18,495	-	11 mos. 11 mos. 9 mos. 7 mos.
100	Fansteel Metallurgical	2/03/67	10/04/67	3,928	5,329	1,403	-	8 mos.
500	Magnavox	11/04/66	10/04/67	23,398	24,588	1,190	-	11 mos.
700	McDonnell Douglas	(400) 11/07/66	10/04/67	14,148	33,612	19,466	-	11 mos.
500	Zenith Radio	11/07/66	10/04/67	28,909	33,878	6,969	-	11 mos.

Defendants' Exhibit 98 (D) Continued

400 Shs. Douglas exchanged 5/10/67 for 700 McDonnell Douglas.

A1002

1967 (Cont'd)

Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
1,000	Aero Chatillon Corp.	8/30/67	10/10/67	\$ 14,639	\$ 14,495	-	\$ 144	1 mo.
1,000	Chrysler Corp.	10/12/67	10/10/67	43,180	52,506	\$ 9,326	-	(Cover purchase on call sale)
300	Tektronix	(100) 5/25/67 (200) 6/13/67	10/10/67	4,768 9,585	16,201	1,848	-	4-1/2 mos. 4 mos.
1,000	Chrysler Corp.	(300) 12/12/66 (300) 6/19/67 (400) 8/30/67	10/11/67	10,346 10,417 19,586	52,195	11,846	-	10 mos. 4 mos. 1-1/2 mos.
7	Mfrs. Hanover Corp.	1/09/63	10/11/67	-0-	329	329	-	57 mos.
500	Eastern Airlines	11/22/67	12/08/67	23,072	20,775	-	2,297	2 weeks
500	Pan Amer. World Airways	11/28/67	12/08/67	13,034	11,325	-	1,709	2 weeks
500	Boeing Co.	11/24/67	12/14/67	45,741	43,798	-	1,943	3 weeks
500	Fansteel Metallurgical	11/22/67	12/14/67	28,348	25,903	-	2,445	3 weeks
500	Chromalloy Amer.	11/22/67	12/15/67	17,230	19,780	2,550	-	3 weeks
1,000	Chrysler Corp.	11/22/67	12/15/67	53,193	53,892	699	-	3 weeks
500	Collins Radio	11/22/67	12/15/67	46,066	48,106	2,040	-	3 weeks
2,000	Fairchild Hiller Corp.	11/22/67	12/15/67	44,291	43,319	-	972	3 weeks
1,000	McDonnell Douglas	11/22/67	12/15/67	50,440	53,630	3,190	-	3 weeks
500	Revlon	11/22/67	12/15/67	39,059	39,240	181	-	3 weeks
				\$972,967	\$1,176,093	\$222,915	\$19,789	

1967 NET PROFIT \$ 203,126

Defendants' Exhibit 98 (b) Continued

A-1003

CANDACE VAN ALLEN ACCOUNT AT DOMINICK & DOMINICK

1968								
Quantity	Description	Acquisition Date	Sales Date	Purchase Price	Sales Price	Profit	Loss	Time Held
1,000 Shs.	Amer.-So. African Inv.	12/14/67	4/08/68	\$ 53,543	\$ 50,795	-	\$ 2,748	4 mos.
1,000	Campbell Red Lake Mines	1/26/68	4/08/68	32,865	24,858	-	8,007	2-1/2 mos.
500	Homestake Mining	12/14/67	4/08/68	31,213	27,002	-	4,211	4 mos.
5,000	Giant Yellowknife Mines							
	(2,000)	1/26/68	4/11/68	24,466	44,074	-	19,780	2-1/2 mos.
	(2,000)	1/30/68		25,809				2-1/2 mos.
	(1,000)	2/28/68		13,579				1-1/2 mos.
103	Teledyne	4/15/68	4/16/68	12,151	11,726	-	425	1 day
\$5,000	N.Y. City 4-1/2%-68	10/24/67	4/17/68	5,043	4,963	-	80	6 mos.
15 Rts.	SCM	10/26/67	5/01/68	N.A.	3*	-	-	6 mos.
15 Shs.	SCM	10/26/67	5/01/68	N.A.	635*	-	-	6 mos.
300	McIntyre Porcupine Mines	3/05/68	7/12/68	28,270	24,044	-	4,226	4 mos.
1,000	Chromalloy Amer. (500)	4/08/68	10/28/68	20,780	53,030	\$ 12,427	-	6-1/2 mos.
	(500)	4/10/68		20,823				6-1/2 mos.
500	Chrysler Corp.	4/08/68	10/28/68	31,514	33,308	1,794	-	6-1/2 mos.
500	E G & G Inc.	4/23/68	10/28/68	35,167	23,386	-	11,781	6 mos.
1,000	Eastern Airlines	4/08/68	10/28/68	34,925	27,433	-	7,492	6-1/2 mos.
1,000	Pansteel Metallurgical	4/08/68	10/28/68	35,240	32,184	-	3,056	6-1/2 mos.
400	Itek (300)	4/18/68	10/28/68	26,806	37,386	556	-	6-1/2 mos.
	(100)	4/24/68		10,024				6 mos.
1,000	Joy Mfg.	6/04/68	10/28/68	35,365	30,604	-	4,761	5 mos.
1,000	Litton Indus. (500)	4/10/68	10/28/68	35,731	78,356	1,426	-	6-1/2 mos.
	(500)	6/04/68		41,198				5 mos.
2,000	Ogden Corp. (1,000)	4/08/68	10/28/68	42,915	72,315	-	15,915	6-1/2 mos.
	(1,000)	4/10/68		45,315				6-1/2 mos.
1,000	Pan Am	4/08/68	10/28/68	23,262	24,697	1,435	-	6-1/2 mos.
300	Raytheon Co.	4/08/68	10/28/68	27,357	34,632	-	2,261	6-1/2 mos.
100		4/23/68		9,536				6 mos.
	STOCK SPLIT (2 for 1)	7/03/68						
400	Texasgulf	4/08/68	10/28/68	47,391	40,158	-	7,233	6-1/2 mos.
	STOCK SPLIT (3 for 1)	6/06/68						
1,000	TWA	4/08/68	10/28/68	43,405	44,161	756	-	6-1/2 mos.
1,500	Zenith Radio (500)	4/08/68	10/28/68	30,988	83,092	-	12,851	6-1/2 mos.
	(1,000)	4/10/68		64,955				6-1/2 mos.
500	Sanders Associates	4/23/68	10/28/68	27,898	24,381	-	3,517	6 mos.
				\$916,534	\$816,584	\$10,394	\$108,344	
1968 NET LOSS							\$ 89,950	

* Not included in totals.

Defendants' Exhibit 98(10) Continued
A-1004

DEFENDANTS' EXHIBIT 98F

A-1005

Schedule reflecting Candace Van Alen's Profit
and (Loss) on Dominick and Empire Trust/Bank
of New York Accounts

CANDACE VAN ALLEN PROFIT AND (LOSS)
ON DOMINICK AND EMPIRE TRUST/BANK
OF N.Y. ACCOUNTS

PER TAX RETURNS

<u>1965</u>	<u>SHORT TERM</u>	<u>LONG TERM</u>	<u>TOTAL</u>
BANK OF N.Y./EMPIRE	172.30	7,014.52	7,186.82
DOMINICK & DOMINICK	<u>19,818.57</u>	<u>(3,697.24)</u>	<u>16,121.33</u>
TOTAL	19,990.87	3,317.28	23,308.15
 <u>1966</u>			
BANK OF N.Y./EMPIRE	14,832.88	190,398.52	205,231.40
DOMINICK & DOMINICK	<u>(15,651.83)</u>	<u>86,565.55</u>	<u>70,913.72</u>
TOTAL	(818.95)	276,964.07	276,145.12
 <u>1967</u>			
BANK OF N.Y./EMPIRE	3,629.75	342,773.14	346,402.89
DOMINICK & DOMINICK	<u>11,292.55</u>	<u>189,983.52*</u>	<u>201,276.07</u>
TOTAL	14,922.30	532,756.66	547,678.96
 *By subtraction from total long term gain; sale schedule not available			
 <u>1968</u>			
BANK OF N.Y./EMPIRE	1,018.47	(51,843.45)	(50,824.98)
DOMINICK & DOMINICK	<u>(58,107.96)</u>	<u>(39,476.36)</u>	<u>(97,584.32)</u>
TOTAL	(57,089.49)	(91,319.81)	(148,409.30)

Defendants' Exhibit 98F (Cont'd.)

A-1006

1969

BANK OF N.Y.	(52,374.00)	3,654.00	(48,720.00)
DOMINICK & DOMINICK	<u>(68,529.00)</u>	<u>7,282.00</u>	<u>(61,247.00)</u>
TOTAL	(120,903.00)	10,936.00	(109,967.00)

1970

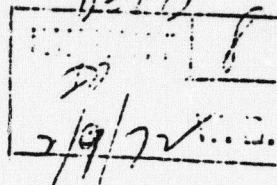
BANK OF N.Y.	(100,252.00)	-0-	(100,252.00)
DOMINICK & DOMINICK	<u>(89,525.00)</u>	<u>(27,530.00)</u>	<u>(117,055.00)</u>
TOTAL	(189,777.00)	(27,530.00)	(217,307.00)

Source: Tax returns of James H. and Candice Van Allen for years 1965-1970 (Def'n. Exhibits 64-69).

DEFENDANTS' EXHIBIT 100

A-1007

Letter, dated November 18, 1968, Mary Grace Watson
to Paul deGive



Avalon, Ocean Avenue
Newport, Rhode Island 02840
November 18, 1968

Mr. Paul deGive
Dominick & Dominick
14 Wall Street
New York, N.Y.

Dear Mr.deGive:-

The notices from the Bank of New York indicating that the loans of Mr. and Mrs. VanAlen were paid arrived here on Saturday, November 16th. Their notices were stamped as Paid on November 12, 1968.

In checking up on all the Sale of Stock slips, it has been noted that their date for sales were either October 28th, or 29th..

As the amount of interest charged to November 12th .., was quite large the question arises why the two weeks from the time of sale to the paying off on their loans? The amount paid for each day- of interest- is quite substantial -so of course for two weeks it added to what we thought to be an unnecessary amount.

Perhaps your staff delayed too long in following out your instructions? Anyway we wanted you to know just what has happened and so you can be alerted for a next time, if any.

Best regards,

Sincerely,

Mary Grace Watson

Secretary to Mr. and Mrs. VanAlen

DEFENDANTS' EXHIBIT 111

Letter, dated October 14, 1968, Wyndham R. Hunt
to Mary Grace Watson

October 14, 1968

Miss Mary Grace Watson
c/o Mrs. Candace Van Allen
Avalon
Newport, Rhode Island 02840

Dear Miss Watson:

I am in receipt of your letter of October 10 regarding
the current rate now in effect on Mrs. Van Allen's loan.

When the loan was originally made on April 15 we con-
sidered 6-3/4% as a very equitable rate and did not increase the
rate when the prime rate went to 6-1/2% on April 20. Therefore,
we still believe, as in April, that the rate of 6-3/4% is a fair
one.

Very truly yours,

Wyndham R. Hunt
Administrative Assistant

WEH:avv

RECEIVED FROM THE
BANK OF NEW YORK

DEFENDANTS' EXHIBIT 116

deGive's "Technical Comments"

(Pages A-1010 to A-1024 following)

A-1010

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

February 11, 1969

Year 1968-69 to Date

<u>Standard & Poor's</u> <u>500 Stock Avgs.</u>	<u>Dow Jones</u> <u>Industrials</u>	<u>Dow Jones</u> <u>Railroads</u>
--	--	--------------------------------------

High	Not Available	
Low		

Week Ending February 8, 1969

High		
Low		
Close	Not Available	
Up or Down		

For the past four weeks the market has been in a sidewise action with buying and selling on a diminishing scale. Now buying is beginning to increase and such a development after a period of sidewise market action normally signals a worthwhile advance.

The following industries and issues have resisted the decline since November or have become heavily oversold on an intermediate basis.

<u>Aircraft Mfg.</u>	<u>Mkt.</u>	<u>Autos</u>	<u>Mkt.</u>
Boeing	59 1/2	Chrysler	53 3/4
Cessna	52	Gen'l Motors	81
Fairchild Hiller	22 1/2		
United Aircraft	69	<u>Coppers</u>	
<u>Airlines</u>		Amer. Metals Climax	50
American	37 1/2	Anaconda	58
Continental	21	Kennecott	49 3/4
Delta	30 1/2	Phelps Dodge	48
Eastern	30 1/2	<u>Electrical Equipment</u>	
Northwest	85	Cutler Hammer	41
United Airlines	45	General Electric	91 7/8
<u>Aluminums</u>		Square D	21 1/2
Alum. Co. of America	80	Westinghouse	68
Kaiser	39 1/2		
Reynolds	43		

(over)

<u>Steels</u>	<u>Mkt.</u>	<u>Issues</u>	<u>Mkt.</u>
Allegheny Ludlum	58	Ampex	38
Armco	64 3/4	Bell & Howell	71
Bethlehem	35	Berkey Photo	41 1/2
Lukens	34 1/2	Canteen Corp.	29 1/2
Republic	51 1/2	Chromalloy	41
		Collins Radio	61

PdG:cf

7

Paul deGive

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

February 17, 1969

Year 1968-69 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Railroads</u>
High	109.37 Dec.'68	994.65 Dec.'68	281.98 Jan.'69
Low	86.99 Mar.'68	817.61 Mar.'68	213.68 Mar.'68

Week Ending February 15, 1969

High	104.37	959.16	281.72
Low	102.50	940.39	272.43
Close	103.61	951.95	275.72
Up or Down	- .08	+ 4.10	- 4.16

Last week the market entered a testing period whereby buying commenced to increase. However, to date there has not been sufficient follow through to signal a broad advance. Accordingly, a return to the sidelines is suggested until the market once more records a fully oversold condition.

PdG:cf
7

Paul deGive

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DOMINICK & DOMINICK

INCORPORATED

TECHNICAL COMMENTS

April 30, 1969

Year 1969 to Date

	<u>Standard & Poor's</u> <u>500 Stock Avgs.</u>	<u>Dow Jones</u> <u>Industrials</u>	<u>Dow Jones</u> <u>Railroads</u>
High	105.87 Jan.'69	966.41 Feb.'69	281.98 Feb.'69
Low	97.06 Mar.'69	895.39 Mar.'69	231.93 Apr.'69

Week Ending April 26, 1969

High	102.29	929.65	237.13
Low	99.52	908.81	*231.90
Close	101.72	924.00	*236.03
Up or Down	+ .48	- 4.82	- .38

*New 1969 Low

The various intermediate and long term indicators are now reversing a downtrend which has been in effect since last fall.

The following stocks are in a favorable technical position.

	<u>Mkt.</u>		<u>Mkt.</u>
Addressograph	80	C.I.T. Financial	40
Air Reduction	28	Columbia Broadcasting	55
American Hospital	34	Commonwealth Oil	24
American Mach. & Fdry.	26	Consolidated Foods	42
Amer. Photo.	13	Cox Broadcasting	46
Amer. Smelting	39	Crompton & Knowles	21
AMK Corp.	36	Cutler Hammer	37
Anaconda	52	Dennison Mfg.	47
Avnet	20	Diversified Metals	38
Bausch & Lomb	66	Duplan	28
Beckman Instruments	54	Eastern Airlines	24
Borg Warner	31	Eastman Kodak	73
Budd Mfg.	27	Flintkote	28
Bunker Ramo	14	Flying Tiger	27
Canteen Corp	30	Ford Motor	51
Case	19	Gulf & Western	34
Celanese	66	Indian Head	35
Chase Manhattan	80	Ingersoll-Rand	46
Chock full o'Nuts	17	Itek	78
Chrysler	50	W. Kidde	47
Chromalloy	39	Kinney	33

(over)

-2-

	<u>Mkt.</u>		<u>Mkt.</u>
Lear Siegler	22	Pepsico	49
Ling-Tempo-Vought	52	Perkin Elmer	49
Nat'l Union Electric	31	Royal Crown Cola	23
North Amer. Rockwell	37	Santa Fe Industries	32
Ogden.	34		

PdG:cf

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Paul deGive

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

A-1015

May 5, 1969

Year 1969 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Railroads</u>
High	105.87 Jan. '69	966.41 Feb. '69	281.98 Feb. '69
Low	97.06 Mar. '69	895.39 Mar. '69	231.93 Apr. '69

Week Ending May 3, 1969

High	104.63	961.68	240.04
Low	100.97	917.13	234.33
Close	*104.00	*957.17	237.36
Up or Down	+ 2.28	+33.17	+ 1.34

*New 1969 High

The breadth of the current advance is satisfactory. To supplement the list given last week, the following stocks are in a favorable technical position.

	<u>Mkt.</u>		<u>Mkt.</u>
City Investing	33	May Dept. Stores	37
Cleveland Electric	40	Microwave Assoc.	25
Consol. Oil & Gas	30	Monsanto Chem.	48
Dow Chemical	78	Nat'l Lead	67
Ex-Cell-O	32	No. Amer. Rockwell	37
Fed. Department Stores	35	Owens-Illinois	73
Foxboro	34	Pennzoil	47
Gen'l Cable	27	Sherwin-Williams	47
Gillette	55	Southern Co.	30
Gen'l Telephone	39	Spartan Indust.	25
Genesco	39	J. P. Stevens	52
Heublein	35	Swingline	27
Int'l Tel. & Tel.	51	Texas Gulf	29
Kayser-Roth	37	Trans America	36
Leesona	48	TRW, Inc.	40
Levin-Townsend	40	Union Carbide	44
Leeds & Northrop	27	U. S. Freight	39
Libbey-Owens Ford	53	Vornado	23
Litton	57	Westinghouse Elec.	62
LTV Aerospace	37	Xtra	41
Magnavox	54	Zenith	52
Marquette Cement	21		

PdG:cf

Paul deGive

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DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

October 20, 1969

Year 1969 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Railroads</u>
High	106.74 May '69	974.92 May '69	281.98 Feb '69
Low	88.04 July '69	788.07 July '69	190.53 July '69

WEEK ENDING OCTOBER 18, 1969

High	97.54	848.14	200.96
Low	93.20	804.51	195.32
Close	96.26	836.06	199.56
Up or Down	+2.70	+29.10	+3.47

Last week the market advanced with good breadth and momentum. The normal six weeks up cycle is now operative.

To supplement the list given last week the following stocks are heavily oversold as well as the public utilities as a group.

American Can	National Gypsum	Republic Corp.
Marathon Oil	National Union Elec.	Riegel Paper
MCA	N. A. Car	St. Regis Paper
McGraw-Hill	Northern Pacific	Sangano Electric
Mead	N. A. Rockwell	Sante Fe Ind.
Monogram Ind.	Penn Central	Stauffer Chemical
Morton Norwich	Rapid American	Storer Broadcasting
National General	Raytheon	Sundstrand
		U. S. Freight

Paul de Give

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

October 27, 1969

Year 1969 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Railroads</u>
High	106.74 May '69	974.92 May '69	281.98 Feb '69
Low	88.04 July '69	788.07 July '69	190.53 July '69

WEEK ENDING OCTOBER 25, 1969

High	98.83	868.00	202.45
Low	95.29	829.59	197.50
Close	98.12	862.26	201.23
Up or Down	+1.86	+26.20	+1.67

Last week the market continued to advance with broad participation and satisfactory upside volume.

The present up trend is now in the third week and is expected to last for the full six week cycle. The railroad index is on the verge of breaking out of a base formation which would confirm the action of the industrial and public utility index.

After the six weeks advance is completed, the normal expectation is for a sidewise consolidation before the year end rally commences.

PdG/ebg

Paul deGive

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

November 10, 1969

Year 1969 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Railroads</u>
High	106.74 May '69	974.92 May '69	281.98 Feb. '69
Low	88.04 July '69	788.07 July '69	190.53 July '69

Week Ending Novmeber 8, 1969

High	99.01	867.28	202.00
Low	95.84	841.67	197.89
Close	98.26	860.48	199.16
Up or Down	+1.01	+ 4.49	- 1.04

The market is now nearing the end of a six week upcycle and will become increasingly selective. Accordingly, new buying should be deferred for the present.

PdG:cf
7

Paul deGive

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DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

December 29, 1969

Year 1969 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Railroads</u>
High	106.74 May '69	974.92 May '69	281.98 Feb. '69
Low	88.04 July '69	764.36 Dec. '69	167.47 Dec. '69

Week Ending December 27, 1969

High	92.30	802.47	177.29
Low	89.40	776.27	168.87
Close	91.89	797.65	176.90
Up or Down	+ .51	+ 7.79	+ 4.40

The current decline has completed a six weeks down cycle with the long term material showing a worthwhile improvement over the July bottom when the averages were at a higher level. Now is the time to assume a more aggressive buying attitude in the general market.

The following stocks are heavily oversold. List No. 1 is composed of stocks which have performed better than the market in the last decline. List No. 2 is composed of stocks which have shown impressive technical improvement in the last decline.

LIST NO. 1

Abbott Labs.	American Smelting
ACF Indust.	AMK Corp.
Adams Mills	AMP Incorporated
Addressograph	Ampex
Allegheny Ludlum	Amrep Corp.
Allied Products	Anaconda
Allis Chalmers	Arkansas Louisiana Gas
Alloys Unlimited	Babcock & Wilcox
Alum. Co. of America	Bausch & Lomb
Ambac Indust.	Baxter Labs.
American Airlines	Beckman Instruments
American Broadcasting	Becton, Dickinson
American Enka	Bell Intercontinental
American Metal Climax	Beneficial Finance
American Motors	Berkey Photo
American Photocopy	Boise Cascade
American Research	Brunswick

(cont'd)

-2-

LIST No. 1 cont'd

Bunker Ramo	Florida Power & Light
Burlington Indust.	Flying Tiger
Burndy Corp.	Foxboro
Burroughs	Fruehauf Corp.
Callahan Mining	Gardner-Denver
Cap. Cities Broadcasting	GCA Corp.
Carrier	Georgia Pacific
Carter Wallace	Goodyear Tire
Cenco Instruments	Gulf States Utilities
Cerro Corp.	Harvey Alum.
Certain-Teed	Halliburton
Chase Manhattan	Hecla Mining
Chromalloy	Hercules, Inc.
CIT Financial	Hewitt Packard
City Investing	INA Corp.
Clark Equipment	Inflight Motion Pictures
Colgate-Palmolive	Int'l Paper
Collins & Aikman	Int'l Rectifier
Columbia Broadcasting	Int'l Telephone
Computer Sciences	Interstate United
Consol. Foods	Itek
Corning Glass	Kaiser Alum.
Cox Broadcasting	Kennecott Copper
Crown Cork	Kaiser-Roth
Crown Zellerbach	Kerr McGee
Cubic Corp.	Walter Kidde
Data Processing	Kinney National Service
Deere	Lea Siegler
Delta Air Lines	Macy's
Dillingham Corp.	Mattel
Dr. Pepper	McDonnell Douglas
Dome Petroleum	McGraw Hill
Dow Chemical	Meredith
Duplan Corp.	Microwave Assoc.
Eastman Kodak	Mohawk Data Science
Eaton Yale & Towne	Morton Norwich
Eckherd Corp.	Motorola
Eltra Corp.	Nat'l Biscuit
Emhart Corp.	Nat'l Can
Engelhard Minerals	Natomas
Equity Funding	Newmont Mining
Evans Products	No. American Philips
Fairchild Camera	Northrop
Firestone Tire	Norton Simon
First Charter	Owens Corning

(cont'd)

-3-

LIST NO. 1 cont'd

Pall Corp.	Trans Union
Perkin Elmer	TRW, Inc.
Phelps Dodge	United Merchants
Potter Instrument	U. S. Industries
Prentice Hall	United Util.
Raytheon	Universal Products
Republic Corp.	Varian Assoc.
Rheingold	Virginia Elec.
Richardson-Merrell	Vornado
Robertshaw Controls	Whirlpool
Rohm & Haas	White Consol.
Rollins, Inc.	Woods Corp.
Royal Dutch	Xtra
Safeway	Zale
Sanders Assoc.	Austral Oil
Sangamo Electric	Book of the Month
Scientific Resources	Beverly Enterprises
Screw & Bolt	Big Three Indust. Gas & Equip.
Scurry Rainbow	Circuit Foil
Southern Co.	Deltona
Southern Pacific	Dorsey
Spartan Indust.	Ehrenreich Photo
Sprague Elec.	Extendicare, Inc.
Square D	Fleetwood Enterprises
Standard Brands	Knight Newspapers
Syntex	Poloron Products
Talley Indust.	Rite Aid Corp.
Teledyne	Seatrains Lines
Texas Instruments	Stylon
Texas Utilities	Trans Lux
Textron	Tyco Labs.
Tool Research	Veeco
Transamerica	
Transitron	

LIST NO. 2

Admiral	Canadian Pacific
Alleghany Corp.	Celanese
Amerada Hess	Chrysler
American Mach. & Foundry	Collins Radio
Ametek	Colt
Ashland Oil	Commonwealth Oil
Atlantic Richfield	EG & C
Avnet	FMC Corp.
Bell & Howell	Ford

(cont'd)

-4-

LIST NO. 2 cont'd

General Motors
Great Western Fin.
Gulf & Western
Home Oil
Hotel Corp. of America
Howmet
Investors Div. Svce.
Kaiser Indust.
Leasco Data
Leeds & Northrop
Leesona

Ling Temco
Litton
Martin Marietta
Monogram Indust.
No. American Rockwell
Ogden
Occidental Petroleum
Outboard Marine
Resorts Int'l
Texas Instr.
U.S. Freight

PdG:cf
7

Paul deGivo,

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

January 26, 1970

Year 1969-70 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Transportation</u>
High	106.74 May '69	974.92 May '69	281.98 Feb. '69
Low	88.04 July '69	764.36 Dec. '69	167.47 Dec. '69

Week Ending January 24, 1970

High	90.80	793.16	174.37
Low	88.64	770.72	169.44
Close	89.07	775.54	170.24
Up or Down	-1.85	- 7.06	- 3.15

The intermediate decline continues with steady liquidation. As yet there has not been sufficient climactic action to indicate a bottom area.

PdG:cf

7

Paul deGive

DOMINICK & DOMINICK
INCORPORATED
TECHNICAL COMMENTS

March 2, 1970

Year 1969-70 to Date

	<u>Standard & Poor's 500 Stock Avgs.</u>	<u>Dow Jones Industrials</u>	<u>Dow Jones Transportation</u>
High	106.74 May '69	974.92 May '69	281.98 Feb. '69
Low	84.42 Jan. '70	738.78 Feb. '70	162.46 Feb. '70

Week Ending February 28, 1970

High	90.33	784.19	179.02
Low	86.87	748.88	169.23
Close	89.50	777.59	177.58
Up or Down	+1.47	+20.13	+ 6.82

For the past four weeks the internal structure of the market has shown improvement, that is, an increasing number of stocks have been forming bases and emerging on the upside.

The action of the Transportation and Public Utility Index is constructive for the first time in over a year. The base and strength in the Public Utilities confirms that the peak in Federal Reserve tight money policy has passed and the trend in interest rates is down. The action of the Transportation Index is anticipating a bottom in business six months from now.

The following industries have formed bases and are turning constructive.

Air Transport	Paper
Aluminum	Public Utilities
Autos	Railroads
Auto Accessories	Rubber
Electrical Equipment	Savings & Loans
Installment Finance	Soft Drinks
Machinery	Television
Machine Tools	Textiles
Packing	

PdG:cf

7

Paul deGive

DEFENDANTS' EXHIBIT 233

Paragraph (c) of Letter, dated March 8, 1974, Philip Greenberg of Kamerman & Kamerman to Vincent R. FitzPatrick, Jr. of White & Case

March 8, 1974

Vincent R. FitzPatrick, Esq.
White & Case, Esqs.
14 Wall Street
New York, N. Y. 10005

Re: Candace Van Alen v.
Dominick & Dominick Incorporated
and Paul de Give

Dear Mr. FitzPatrick:

In response to your request to produce various documents, I have enclosed all the relevant documents that we have. Referring to Part 5 of the "Stipulation for Pre-Trial Discovery Procedure", I have complied as follows:

- (a) The requested portion of the Federal tax returns for all six years and the State returns for those years in which the Van Alens filed a State return.
- (b) A copy of the list of non-taxable municipal bonds owned by James Van Alen during the period is included in the "Schedule of Property" from the United States Trust Company.
- (c) The Federal tax rates for the six years were as follows:

1965	66%
1966	70%
1967	60%
1968	45%
1969	58%
1970	0

- (d) No Gift Tax Returns were filed during the period.
- (e) The only list existing of assets of James Van Alen, which is the schedule of property at the United States Trust Company (this list does not include all assets owned by James Van Alen during the period).

Defendants' Exhibit 233 (Continued)

A-1026

March 8, 1974

Vincent R. FitzPatrick, Esq.

- 2 -

- (f) During the period, the Van Alens owned real estate at the following locations:

Newport, Rhode Island
Old Brookville, Nassau County, N.Y.
57th Street East Corp. (co-op apt.), N.Y.C.
907 Fifth Ave. (co-op apt.), N.Y.C.

We do not have records of the dates of purchase, purchase prices or mortgages.

- (g) Copies of monthly reports from James Van Alen's accounts at Dominick & Dominick and The Bank of New York.
- (h) A copy of a statement from James Van Alen's account at a Swiss bank.
- (i) We do not have records reflecting loans made by the Van Alens.

I hope that the enclosed documents will provide all the information you need. I will gladly answer any questions you have about these documents.

Very truly yours,

KAMERMAN & KAMERMAN

BY

Philip Greenberg

PG:ljs-L
encls.

DEFENDANTS' EXHIBIT 242

A-1027

Commissions and Losses in Candace Van Alen Accounts,
February 1969-April 1970COMMISSIONS AND LOSSES IN CANDACE VAN ALLEN ACCOUNTS, FEB. 1969-APR. 1970

	<u>COMMISSIONS</u>		<u>LOSSES</u>	
	<u>D&D</u>	<u>BANK</u>	<u>D&D</u>	<u>BANK</u>
Purchases, 2/11-14/69	\$2,953.08	\$3,686.29		
Sales, 2/18-20/69	2,858.58	3,760.71	\$25,414	\$36,416
Purchases, 4/30-5/15/69	4,487.09	8,293.92		
Sales, 5/26-27/69	3,960.96	8,536.25	25,121	59,319
Purchases, 10/14-29/69	4,008.97	10,577.86		
Sales, 11/11/69	927.05		(11,555)	
Purchases, 12/29/69- 1/2/70	983.60	402.00		
Sales, 1/28-2/2/70	3,514.28	8,953.11	122,081	309,995
Purchases, 3/2-3/70	1,716.26	3,859.43		
Fair Market Value, 4/3/70			9,051	23,204
TOTAL	\$25,409.87	\$48,069.57	\$170,112	\$428,934

Source: Pltf's. Ex. 2 in evid.

DEFENDANTS' EXHIBIT 244

Securities Purchased for Candace Van Alen,
February 11, 1969 - March, 1970

A-1028

SECURITIES PURCHASED FOR CANDACE VAN ALLEN
2/11/69 - 3/70

- | | |
|-----------------------------|---------------------------|
| * Addressograph-Multigraph | * Leeds & Northrup |
| * Allegheny Corp. | * Leesona Corp. |
| * Ameranda Hess Corp. | * Levin-Townsend Computer |
| * Amer. Hosp. Supply | * Ling Temco Vought |
| * Amer. Machine & Foundry | * Litton Industries |
| * Amer. Smelting & Ref. | * Lukens Steel Co. |
| * AMK Corp. | * National General |
| * Ampex Corp. | * Northrup Corp. |
| * Ashland Oil & Ref. | * Northwest Industries |
| * Atlantic Richfield | * Ogden Corp. |
| * Avnet | * Penn Central |
| * Beckman Instr. | * Raytheon Corp. |
| * Canadian Pacific Ry. | * Republic Corp. |
| * Chromalloy Amer. Corp. | * Republic Steel |
| * Chrysler Corp. | * Reynolds Metals |
| * Columbia Broad | * Royal Crown Cola Co. |
| * Cox Broadcasting | * Sangamo Electric |
| * Delta Airlines | * St. Regis Paper |
| * Dennison Mfg. Co. | * Santa Fe Ind. |
| * Eastern Airlines | * Schlumberger |
| * Eckerd Drugs of Fla. | * Technicolor |
| * Gulf & Western Ind.. | * Teledyne Inc. |
| * Illinois Central | * Texas Gulf Sulphur |
| * Kaiser Alum. & Chem. | * T.W.A. |
| * Kaiser Industries | * U.S. Steel |
| * Kinney Nat'l Service Inc. | * Xtra, Inc. |
| * Lear Siegler Inc. | |

- Source:
1. Candace Van Alen, Chronological List of Transactions by Trade Date, February 11, 1969 - March, 1970 (Defs.' Exhibit 98b)
 2. Eleanor deGive, Account at Dominick, Chronological List of Transactions by Trade Date, February 11, 1969 (purchases) - March, 1970 (~~Def.~~ Exhibit 63)

PI+P's.

* Also purchased for Eleanor deGive during same time period.

DEFENDANTS' EXHIBIT 245

A-1029

Summary of Candace Van Alen Loans

Loans To Candace Van Alen
9/24/62 - 10/30/69

<u>Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Total Liability</u>	<u>Net Change In Borrowing</u>	<u>Bank</u>
9/24/62	(NA)	\$ 25,000	\$ 25,000	+\$ 25,000	Empire ¹
1/14/62	12/24/62	25,000	25,000	-	Empire ²
1/14/63	3/25/63	25,000	25,000	-	Empire ²
1/17/63	3/25/63	100,000	125,000	+ 100,000	Empire ²
3/26/63	6/25/63	119,500	119,500	- 5,500	Empire ²
5/15/63	6/25/63	60,000	179,500	+ 60,000	Empire ²
6/25/63	9/25/63	179,500	179,500	-	Empire ³
4/09/64	4/09/65	200,000	200,000	+ 200,000	Empire ²
9/03/64	9/03/65	200,000	200,000	-	Empire ²
9/22/65	9/22/65	200,000	200,000	-	Empire ⁴
1/13/67	Demand	200,000	225,000	+ 25,000	Empire ⁵
5/15/67	Demand	100,000	325,000	+ 100,000	Empire ⁵
4/15/68	Demand	300,000	300,000	- 25,000	BNY ⁶
10/22/68	Demand	300,000	300,000	-	BNY ⁷
10/30/69	Demand	200,000	200,000	+ 200,000	FNCB ⁸

¹Source: Defendants' Exhibits 25 and 26²Source: Defendants' Exhibit 31(F)³Source: Defendants' Exhibits 27 and 31(F)⁴Source: Defendants' Exhibit 28⁵Source: Defendants' Exhibits 29, 30, 31(A) and 31(C)⁶Source: Defendants' Exhibits 31(A), 31(B), 31(C), 31(E)⁷Source: Defendants' Exhibit 31(D)⁸Source: ~~Defendants' Exhibit 29~~ *Pl's Testimony*

COURT EXHIBIT 1

Defendant's Memorandum in Support of
Defendants' Motion to Suppress Testi-
mony and Documents

(Pages A-1031 to A-1039 following)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x		
CANDACE VAN ALLEN,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	71 Civ. 5438
	:	(LWP)
DOMINICK & DOMINICK, INC. and	:	
PAUL deGIVE,	:	
	:	
Defendants.	:	
	:	
----- x		

MEMORANDUM OF LAW IN SUPPORT OF
DEFENDANTS' MOTION TO SUPPRESS
TESTIMONY AND DOCUMENTS

Of Counsel

Jeffrey A. Barist
Vincent R. FitzPatrick, Jr.
Benjamin S. Bilus

WHITE & CASE
14 WALL STREET
NEW YORK, N. Y. 10005
(212) 732-1040

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x^o
CANDACE VAN ALLEN, :
 :
Plaintiff, : 71 Civ. 5438
 : (LWP)
-against- :
 :
DOMINICK & DOMINICK, INC. and :
PAUL deGIVE, :
 :
Defendants. :
 :
----- x

MEMORANDUM OF LAW IN SUPPORT OF
DEFENDANTS' MOTION TO SUPPRESS
TESTIMONY AND DOCUMENTS

This memorandum is submitted in support of defendants' motion to prohibit plaintiff from examining defendant Paul deGive with respect to certain matters and to suppress the introduction of certain documents related thereto. The matters at issue are all discussions held and documents examined by plaintiff's counsel during the course of a meeting with Paul deGive in April 1971. The basis for defendants' motion is that the information elicited and the documents examined during that meeting were obtained by plaintiff's counsel in violation of the Code of Professional Responsibility, which establishes the rules of ethical conduct for attorneys in the State of New York.

Mr. deGive, at the request of plaintiff's counsel, Jerome Kamerman, attended a meeting with Mr. Kamerman in April 1971 for the ostensible purpose of discussing Candace Van Alen's securities accounts over which Mr. deGive had discretionary power. That meeting resulted from the initial contact Mr. Kamerman made with Mr. deGive by letter dated March 25, 1971 (copy of the letter annexed hereto as Exhibit 1), which asked Mr. deGive to supply certain information relating to the account of Candace Van Alen.

The letter from Mr. Kamerman to Mr. deGive is on the letterhead of "Kamerman & Kamerman, Certified Public Accountants" (emphasis added). By the use of such stationery, plaintiff's counsel intended to give, and did in fact give, the impression to Mr. deGive that when he met with Mr. Kamerman concerning Candace Van Alen's accounts he was talking to an accountant in the course of a routine audit.

Mr. Kamerman, however, is not only a certified public accountant but an attorney as well. Mr. Kamerman never told Mr. deGive during the course of that meeting that he was an attorney. Mr. Kamerman never advised Mr. deGive to seek legal counsel. Yet, Mr. Kamerman questioned Mr. deGive at great length and examined many documents relative to a matter which only a few months later resulted in the institution of the present

litigation. Defendants respectfully submit that plaintiff's counsel's actions were misleading in the extreme and a clear violation of the disciplinary rules of the Code of Professional Responsibility of the State of New York.

DR 7-104 of the Code of Professional Responsibility provides:

"DR 7-104 Communicating With One of Adverse Interest.

"(A) During the course of his representation of a client a lawyer shall not:

"(1) Communicate or cause another to communicate on the subject of the representation with a party he knows to be represented by a lawyer in that matter unless he has the prior consent of the lawyer representing such other party or is authorized by law to do so.

"(2) Give advice to a person who is not represented by a lawyer, other than the advice to secure counsel, if the interests of such person are or have a reasonable possibility of being in conflict with the interests of his client."

This rule is substantially similar to prior Canon 9 of the Canons of Professional Ethics:

"9. Negotiations With Opposite Party

"A lawyer should not in any way communicate upon the subject of controversy with a party represented by counsel; much less should he undertake to negotiate or compromise the matter with him, but should deal only with his counsel. It is incumbent

upon the lawyer most particularly to avoid everything that may tend to mislead a party not represented by counsel, and he should not undertake to advise him as to the law." (emphasis added.)

It is with clause 2 of DR 7-104 and the underlined portion of Canon 9 with which Mr. Kamerman's actions conflict. By representing himself as an accountant and by failing to identify himself as a lawyer, plaintiff's counsel misled Mr. deGive into discussing, without the presence or even foreknowledge of counsel, many of the details which now form the basis of plaintiff's present action against Mr. deGive. Mr. Kamerman's omission of the fact that he was a lawyer representing a party with considerably adverse interests to Mr. deGive's directly contravenes ABA Informal Opinion No. 908, which interpreted Canon 9. The subject matter of Informal Opinion No. 908 is particularly apposite to the present situation: an attorney interviewing and taking a statement from an adverse party who he may reasonably expect will retain counsel but is not yet represented. That opinion states that when an attorney for a potential plaintiff interviews the potential defendant, there is no breach of ethical standards:

"if the attorney advises the potential defendant witness that he is conducting the interview and attempting to take the statement in his position as attorney for the claimant." ABA Committee on Professional Ethics, Informal Opinion No. 908 (February 24, 1966) (emphasis added).

In direct contravention of the requirement that a lawyer identify himself as such prior to meeting with an unrepresented adverse party, and of the general requirement that a lawyer do nothing which might mislead such a party. Mr. Kamerman, in his guise as a certified public accountant, met with Mr. deGive and discussed the very matters at issue in this case. It is just such an attempt by a lawyer to discuss with an adverse party the facts upon which an action may be grounded which is condemned as unethical in ABA Formal Opinion 58. The ethics committee there stated that a divorce attorney who meets with the unrepresented spouse prior to commencement of the action for divorce should restrict his discussion to a statement of the proposed action and advice to consult counsel. He may not discuss the facts which furnish or might furnish grounds for the divorce. By the same token, Mr. Kamerman should not have discussed the facts which furnish or might have furnished the grounds for a securities fraud case with the prospective defendant, Mr. deGive.

As is apparent from Informal Opinion No. 908 and Formal Opinion No. 58, the question of whether a violation of ethical standards has occurred does not depend upon whether or not actual litigation has commenced. In discussing Rule IV-E, a First Department codification of Canon 9 (now Section 603.7

of the Rules of the New York Supreme Court, Appellate Division, First Department) the Court has stated:

"[T]he rule was not intended to operate only after the commencement of an action to enforce a claim, but by its language clearly indicates that it applies to a pending claim, regardless of whether an action has been commenced or not." Obser v. Adelson, 96 N.Y.S.2d 817, 818 (Sup. Ct. N.Y. Co. 1949), aff'd without opinion, 276 A.D. 999, 95 N.Y.S.2d 757 (1st Dep't 1950).

As a result of the violation in Obser the Court suppressed a statement obtained by the defendant's attorney from an infant plaintiff's parent. Although the Court there was concerned with a violation of that part of the rule which prohibits counsel from communicating with a represented party without the approval of such party's counsel (clause 1 of DR 7-104), suppression of the fruits of very similar ethical misconduct is equally justified in the instant case. The principles underlying the two clauses of DR 7-104 are the same and the sanction for their violation should be the same. As was stated in ABA Formal Opinion No. 108 concerning Canon 9:

"To preserve the proper functioning of the legal profession as well as to shield the adverse party from improper approaches the Canon is wise and beneficent and should be obeyed." ABA Opinions on Professional Ethics, Formal Opinion No. 108 (March 10, 1934).

CONCLUSION

By virtue of unethical conduct on the part of plaintiff's attorney, plaintiff has come into possession of information and documents which she now seeks to use in prosecuting her claim against the victim of that improper conduct. The defendants respectfully urge this Court to find the actions of plaintiff's attorney to be a violation of the Code of Professional Responsibility and to condemn such actions with the most appropriate of sanctions: suppression of the documents and statements obtained by the use of such unethical conduct.

Dated: New York, New York
November 8, 1976

Respectfully submitted,

WHITE & CASE
Attorneys for the Defendants
14 Wall Street
New York, New York 10005
(212) 732-1040

Of Counsel

Jeffrey A. Barist
Vincent R. FitzPatrick, Jr.
Benjamin S. Bilus

KAMERMAN & KAMERMAN
CERTIFIED PUBLIC ACCOUNTANTS
500 FIFTH AVENUE
NEW YORK, N. Y. 10036
CHICKERING 4-5245

March 25, 1971

Dominick & Dominick
14 Wall Street
New York, N. Y. 10005

Attention: Mr. P. Degive

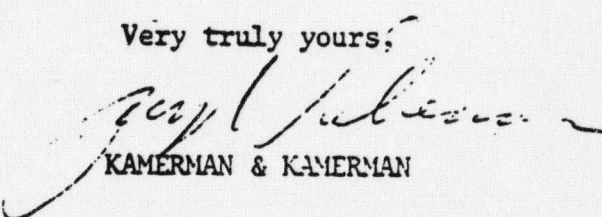
Re: Candace Van Alen
Custodian Account No. 759490

Gentlemen:

We are presently conducting an audit for Candace Van Alen and require the following information for its completion: a list of assets held as of December 31, 1970, including their cost and dates of purchase.

We would appreciate your immediate attention to this matter as the information is urgently needed.

Very truly yours,


KAMERMAN & KAMERMAN

JL:EF

cc: Candace Van Alen

LABENSON

EXHIBIT 1

COURT EXHIBIT 2

Letter, dated March 25, 1971, Kamerman &
Kamerman to Dominick & Dominick

KAMERMAN & KAMERMAN
CERTIFIED PUBLIC ACCOUNTANTS
500 FIFTH AVENUE
NEW YORK, N. Y. 10036
CHICKERING 4-5245

March 25, 1971

Dominick & Dominick
14 Wall Street
New York, N. Y. 10005

Attention: Mr. P. Degive

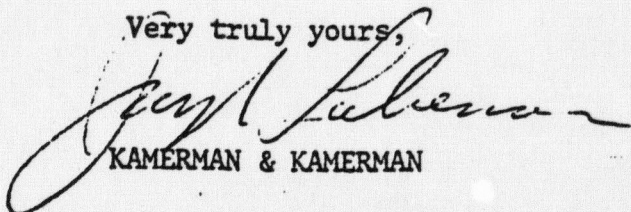
Re: Candace Van Alen
Custodian Account No. 759490

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We would appreciate your immediate attention to this matter as the information is urgently needed.

Very truly yours,


KAMERMAN & KAMERMAN

LABENSON

JL:EF

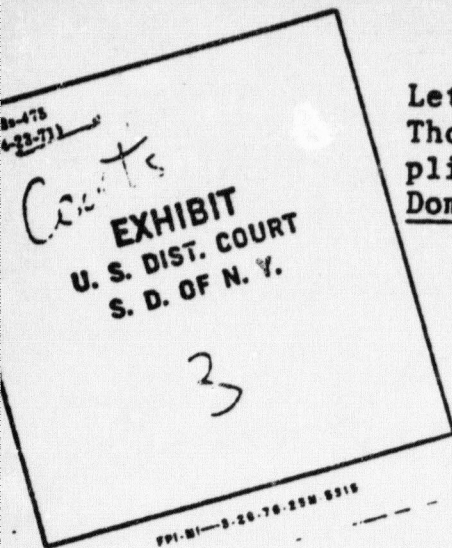
cc: Candace Van Alen

COURT EXHIBIT 3

CT-43

A-1041

Letter from Jerome Kamerman to
Thomas F. Carey, Assistant Com-
pliance Director of Dominick &
Dominick, dated February 19, 1971



3/4

February 19, 1971

Mr. Thomas F. Carey
Assistant Compliance Director
Dominick & Dominick, Incorporated
14 Wall Street
New York, New York 10005

Dear Mr. Carey:

I wonder if you could let me know what progress you are making
toward arranging a conference in the matter of the Van Alen's
trading accounts.

I would appreciate if you could let me know a specific date
for such a conference.

Very truly yours,

JK:b:L

Jerome Kamerman

A. J. [unclear]

- called 1/24

*Called [unclear] 5/17 - he said he thought meeting - 18
Re: 10/11/71. To give - UA had been changed - he will call back*

COURT EXHIBIT 4

Letter from Charles N. Shaffer to Judge Pierce,
dated November 16, 1976

November 16, 1976

Honorable Lawrence Pierce
United States District Judge
United States Courthouse
Foley Square, New York

Re: Van Alen v. Dominick & Dominick et al.

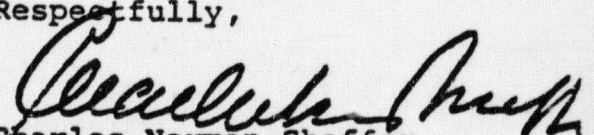
Dear Judge Pierce:

In accordance with the provision of Rule 43(c) Federal Rules of Civil Procedure, I tender herewith an offer of proof as outlined in Mr. Kamerman's affidavit for the purpose of establishing my right to examine Mr. deGive as to the 14 diary entries and his pre-trial deposition testimony thereon and the fact that he communicated the diary entries and their contents to Mr. Kamerman on or about June 30, 1971. My additional examination of Mr. deGive, if allowed, will not take more than twenty minutes.

In the event you do not grant this request, then I want to mark Mr. Kamerman's affidavit, my enclosed memorandum in opposition to defendants' motion to suppress as a court exhibit so that the Rule 43(c) question will be preserved for review.

I will give Mr. Barist a copy of this letter, Mr. Kamerman's affidavit and my memorandum as soon as he comes to the courthouse this morning.

Respectfully,


Charles Norman Shaffer
Rockville, Maryland
Attorney for Plaintiff.

cc: Jeffrey Barist, Esq.

Affidavit of Jerome Kamerman in Opposition to
Defendants' Motion to Suppress Testimony and
Documents

(Pages A-1043 to A-1045 following)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CANDACE VAN ALLEN,

Plaintiff,

-against-

DOMINICK & DOMINICK, INC. and
PAUL deGIVE,

Defendants.

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

AFFIDAVIT

71 Civ. 5438

(LWP)

JEROME KAMERMAN, being duly sworn, deposes
and says:

1. I am an attorney at law duly admitted
to practice in the State of New York. In or about April,
1970, I was retained by plaintiff to act as her attorney
to prepare and keep income tax records and to review and
investigate the history of her trading accounts which had
been under the discretionary control of defendant DeGive.

2. In and about October, 1970, I met with
Thomas F. Carey, Assistant Compliance Director of Dominick
& Dominick and discussed with him four separate problems
in plaintiff's account at Dominick & Dominick, the fourth
of which was why the trading philosophy changed radically
in 1969 as opposed to prior years. A copy of my notes of
that meeting is attached as Exhibit A.

3. On November 3, 1970, Mr. Carey responded to some of my inquiries by letter and a copy of his letter is attached as Exhibit B.

4. On November 4, 1970, I called Mr. Carey and told him that his letter did not respond to the question of the radical change in trading philosophy and he said that Mr. deGive himself would call me to explain the reason for the change in the trading philosophy.

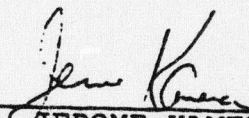
5. On December 28, 1970, without any further solicitation by me, Mr. deGive called me. He told me that he understood that I was inquiring into certain aspects of plaintiff's account at Dominick & Dominick and particularly about a change in the trading philosophy. Mr. deGive said that he had received instructions from plaintiff's husband to sell securities in plaintiff's account if the market seemed ready to drop and that this had occurred on several occasions in 1969 and was the reason for the 1969 sales. A copy of my diary entry respecting this telephone call from deGive is attached as Exhibit C.

6. In or about February, 1971, I wrote to Mr. Carey using my legal stationery with further respect to my inquiry into the trading account at Dominick & Dominick. I also told either Mr. Carey or his assistant, Mr. Albano,

that I was not satisfied with Mr. deGive's explanation for the radical change in trading philosophy, I was told that Mr. deGive had diary entries which show that plaintiff knew of and approved the change in the trading philosophy and that Mr. deGive would show these diary entries to me to satisfy me on this issue. A copy of the said letter has been marked as Court Exhibit 3.

7. On June 21, 1971, I received a telephone call from a person at Dominick & Dominick notifying me that Mr. deGive intended to call me for an appointment and bring to me the diary entries which would satisfy my inquiry on this issue. A copy of the diary entry is attached as Exhibit D.

8. On June 30, 1971, Mr. deGive called me for an appointment and I agreed to see him that day. He came to my office and read to me the diary or calendar entries in question.



JEROME KAMERMAN

Sworn to before me this 16th
day of November, 1976

12/2/70

11/4/70

EXHIBIT A
(Annexed to foregoing Affidavit)

Notes of Meeting with Carey of Dominick & Dominick
in October of 1970

1	1969 12-11-70 cont. 2T 10/4/70 LT omitted of 4/3 OK
2	1969 12-11-70 cont. 2T 10/4/70 from a 1st class OK
3	1971 1-10-71 - where I am ?
4	why the Treasury changed ? valued at 69 to appear as 1968 year Copy of 68 & 69 meeting

THOMAS F. CAREY
ASSISTANT
COMPLIANCE DIRECTOR

DOMINICK & DOMINICK,
INCORPORATED
14 WALL STREET, NEW YORK

(212) 227-4000

Sent 1000 for
many for
+ 1000 for
for a 1st class
(column)

EXHIBIT B
(Annexed to foregoing affidavit)

Letter from Carey to Jerome Kamerman, dated November 3, 1970.

CABLE ADDRESS
DOMIX

DOMINICK & DOMINICK,
INCORPORATED
14 WALL STREET
NEW YORK, N.Y. 10005

P.O. BOX 125
WALL STREET STATION

November 3, 1970

Mr. Jerome Kammerman
Kammerman & Kammerman
500 Fifth Avenue
New York, New York

Dear Mr. Kammerman,

Pursuant to our telephone conversation of November 2, 1970, please find enclosed, copies of Mrs. Van Alen's December, 1967 monthly statement. As you will observe, this statement does not reflect a purchase on December 14, 1967 of one thousand (1,000) shares of Beckman Instruments. If the statement you have in your possession reflects the above purchase, I would be most appreciative of a copy in order that we may equitably resolve this situation.

With regard to the statement received, subsequent to the June, 1970 closing of Mrs. Van Alen's account which reflected a debit balance, be advised that Dominick & Dominick, Incorporated has no record of any further statements being sent to Mrs. Van Alen after June, 1970. Therefore, I again would appreciate a copy of the statement Mrs. Van Alen received, so that a resolution may be effected regarding this concern. It is entirely possible that the wrong account number was printed on the statement resulting in the receipt by Mrs. Van Alen of incorrect material.

I look forward to receiving the above items at your convenience and be assured that our full cooperation in these matters is at your disposal.

Very truly yours,

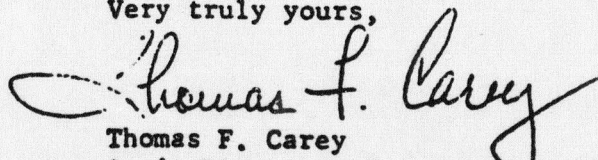

Thomas F. Carey
Ass't Director of Compliance

EXHIBIT C
(Annexed to foregoing affidavit)

Copy of diary entry of Jerome Kamerman
dated December 28, 1970

Monday DECEMBER 28

362nd Day — 3 days to come

Appointments

Memoranda

8:00		
8:30		
9:00		
9:30		
10:00		
10:30		
11:00		
11:30		
12:00		
12:30		
1:00		
1:30		
2:00		
2:30		
3:00	Joe Jones called - he says he had	
3:30	instructions from the boss to	
4:00	all of the market seemed ready to	
4:30	drop - so he sold when he thought	
5:00	the market was going down	
5:30	- Clean the machine in the	
6:00	with CNA	

ENT.	CNA says	<u>EXPENSE RECORD</u>	<u>ENTERTAINMENT</u>
	only instructions	BREAKFAST	AUTO
	gave (in 44) was	LUNCH	
	to 'see' I was	DINNER	MISC.
	in the 44 - he	HOTEL	
	he would need the income	TIPS	
		FARES	
		POSTAGE	
		PHONE CALLS	TOTAL

EXHIBIT D
(Annexed to foregoing affidavit)

Copy of diary entry of Jerome Kamerman
dated June 21, 1971

JUNE
W T F S
2 3 4 5
9 10 11 12
16 17 18 19
23 24 25 26
30

JULY
S M T W T F S
1 2 3
4 5 6 7 8 9 10
11 12 13 14 15 16 17
18 19 20 21 22 23 24
25 26 27 28 29 30 31

Monday

JUNE
21
1971

8:00

8:30

9:00

9:30

10:00

10:30

11:00

11:30

12:00

12:30

1:00

1:30

2:00

2:30

3:00

3:30

4:00

4:30

5:00

5:30

6:00

6:30

7:00

7:30

8:00

Tax Ct docket - Epstein

EPSTEIN work. Guido AZUL & 14

Pin Pointe re Van Allen Lijer

De Gue will call for app (BA 7x6...)

Plaintiff's Memorandum in Opposition to Defendants' Motion to Suppress Testimony and Documents

(Pages A-1050 to A-1057 following)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
CANDACE VAN ALLEN,

Plaintiff,

71 Civ. 5438
(LWP)

- against -

DOMINICK & DOMINICK, INC. and
PAUL deGIVE,

Defendants.
----- x

PLAINTIFF'S MEMORANDUM IN OPPOSITION
TO DEFENDANTS' MOTION TO SUPPRESS
TESTIMONY AND DOCUMENTS

Defendants have somehow convinced the Court that plaintiff's lawyer, Kamerman, obtained testimony and documents through trickery in an effort to deceive deGive. The true fact is that this testimony and these documents were proffered to Kamerman by Dominick and deGive in the full knowledge that:

- (1) he was counsel for Van Alen, and
- (2) he was inquiring into excessive trading in the Van Alen account, all as disclosed by the following chronology:

On October 21, 1970, Kamerman met with Thomas F. Carey, Assistant Compliance Director of Dominick & Dominick. Kamerman told Carey that he had been retained by the Van Alens with respect to four problems in their Dominick account, the last of which was "why the trading philosophy changed radically in '69 as opposed to prior years".

At that meeting, Kamerman told Carey that he was Van Alens' attorney and had been given prior trading records.

On November 3, 1970, Carey responded by letter to Kamerman, but did not in that letter respond to the last issue as to trading philosophy.

On November 4, 1970, Kamerman called Carey and was told that deGive would explain the trading philosophy himself to Kamerman.

On December 28, 1970, unsolicited by Kamerman, deGive called and said that he understood that Kamerman was asking about the trading philosophy. He said that he had instructions from Van Alen to sell if the market seemed ready to drop. Therefore, he sold when he thought the market was going down.

Kamerman pressed his inquiry with Carey, telling him that deGive's answer was not satisfactory or complete as to the apparent change in trading philosophy.

In February, 1971, Kamerman, on legal stationery, wrote to Carey with respect to his inquiry into the Van Alen trading account. Shortly after that letter was sent, Carey or one of the other Dominick compliance directors, a Mr. Albano, told Kamerman that deGive had exhibited diary entries which would show that the Van Alens knew of and approved the change in trading philosophy, and that deGive would show the diary entries to Kamerman.

Court Exhibit 4 (Continued)

On June 21, 1971, Kamerman received a telephone call from a Dominick employee notifying him that deGive would call and bring to him the diary entries.

On June 30, 1971, deGive called Kamerman, came to his office, and read to him the diary entries which have been reproduced in plaintiff's Exhibit 12 and which defendants now want to suppress.

The Court should understand that defendants put these diary entries forward with the obvious intent of tricking Kamerman into believing that the change in trading philosophy was innocent and well known to the Van Alens, rather than a fraud under the statute and under the common laws. They now seek to take advantage of their own intent to deceive by claiming that, unknowingly, deGive lied to an accountant and that under such circumstances, that the diary entries being proposed should not be examined into in the light of his deposition testimony about them.

There is no legal issue presented to the Court here because plaintiff offered the diary entries and the deposition testimony about them on the theory of:

- (1) false exculpatory statements;
- (2) conduct inconsistent with his claim that he did not act in a fraudulent way when he traded plaintiff's account; and
- (3) consciousness of his own fraud.

It is patent even if the Court were to conclude upon a factual hearing, that the evidence was improperly obtained by some trickery practiced upon deGive, such improperly obtained evidence is clearly admissible. Dugan & McNamara, Inc. v. United States, 153 F. Supp. 389; United States v. One 1953 Oldsmobile Sedan, 132 F. Supp. 14 (Ark. 1955); and Drew v. International Brotherhood of Sulphite and Paper Mill Workers, 370 FRD 446 (D.C. 1965). Moreover, it is the duty of plaintiff's trial counsel to present such evidence. See, Opinions of the Committees on Professional Ethics, Association of the Bar of the City of New York and New York County Lawyers' Association, 1956 ed., number 624 (see attached).

Should the Court for reasons of its own, want to satisfy itself as to Mr. Kamerman's representations to Dominick's employees which preceded deGive's treachery in offering subsequently manufactured diary entries to answer the inquiry Kamerman made of Carey about a change in trading philosophy, and to thwart the bringing of the case, then it can hold a brief voir dire hearing at which will be established the chronology of events as herein before indicated.

In deciding this question, the Court should note that Court Exhibit 2, unlike the inaccurate representations proffered by the defendants, is not:

- (1) Lawyer Kamerman's letter;
- (2) The first contact between him and deGive; and

- (3) a representation that Jerome Kamerman, with whom deGive had previously spoken, was an accountant rather than a lawyer.

Plaintiff also notes that defendants are wrong about the meeting between Jerome Kamerman and deGive as having occurred in April, 1971, when the facts will show it occurred on June 30 of that year.

Should the Court hold a voir dire hearing, the defendants will undoubtedly contend that Jerome Kamerman cannot testify. Again, the defendants are in error because:

- (1) Jerome Kamerman is not trial counsel;
- (2) the gist of DR 5-101 and 2 is that the object of the precept is to avoid putting a lawyer in the obviously embarrassing predicament of testifying and then having to argue the credibility and effect of his own testimony. Galarowitz v. Ward, 119 Utah 611, 620, 230 P. 2d 576, 580 (1951).

In this case where deGive's credibility is such an important factor in determining scienter and where the facts proffered go directly to a fraudulent scheme and emanate from his consciousness of fraudulent trading, the Court should clearly hear the testimony proffered by the plaintiff.

The Court should understand that the only proffer made by the plaintiff relates to examining deGive on fourteen diary entries and establishing through him that which he admitted in pre-trial deposition,

namely that he manufactured these diary entries after the fact and for the false purpose of preparing himself for his meeting with Kamerman.

These diary entries may be listed as follows, together with transcript references where deGive falsified them in his pre-trial deposition:

<u>Entry Date</u>	<u>Transcript Page of deGive Deposition</u>
10/1/69	p. 103
10/16/69	pp. 105 - 106
10/21/69	p. 106
2/10/69	p. 107
2/20/69	p. 108
4/23/69	p. 109
5/14/69	p. 110
9/17/69	p. 111
10/6/69	p. 112
10/9/60	p. 112
11/6/69	p. 113
1/13/70	p. 116
2/25/70	p. 117
3/18/70	p. 119
	See also pp. 871-872

It is anticipated that without a voir dire hearing, which plaintiff contends is unnecessary, the examination of deGive on these entries by the plaintiff's trial counsel will not occupy more than twenty minutes.

If the Court decides to hold a voir dire hearing, examination of Kamerman and introduction of contemporaneously made diary entries and notes by Kamerman will not exceed ten minutes.

Given the content of this memorandum, the matters raised in defendants' memorandum in support of their motion to suppress are irrelevant.

Respectfully submitted,

CHARLES NORMAN SHAFFER,
Trial Attorney for Plaintiff
Rockville, Maryland

THE ASSOCIATION OF THE BAR

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2. May such attorney acting as counsel for an attorney now in the armed forces handle new matters for the absent attorney's clients?

Answer. It is entirely ethical for an attorney to act as counsel for an attorney of record now in the United States armed forces and handle to completion all pending actions or proceedings without the necessity of substitution as attorney of record.

If the clients give consent to the arrangement, it is ethically proper for their new matters to be handled through counsel but in the name of their attorney who is absent with the United States armed forces. If there be division of fees there would be no violation of Canon 34. Canon 34 does not obligate one lawyer who divides legal fees with another lawyer to render services and share responsibility. The division of fees is based upon a division of services or responsibility. Here, the absent attorney, being of record, and agreeing to such arrangement, shares the responsibility but leaves the conduct of matters to counsel.

NUMBER 624 OCTOBER 7, 1942

Question. A and B were formerly joint adventurers in various real estate deals. C was their attorney.

A and B had a falling out. A consulted another lawyer, D, while C continued to be B's attorney. A conference was held in D's office, to attempt to work out an amicable settlement of the differences between A and B. C and D were the participants in that conference. A dictograph had been installed in D's office to record the conversation between C and D.

At the conference, C made certain vital admissions of fact regarding the nature of the agreement of joint adventure made between A and B. No settlement was arrived at. A, represented by D, then sued B and C, alleging a conspiracy by B and C to defraud A, and demanding an accounting. D requests attorney X to act as trial counsel for A and, on the trial, to use the phonograph records which recorded the admissions which C had made at the conference in D's office.

X wishes to know if he may, with professional propriety, attempt to make use of those records on the trial.

Answer. If the phonograph records are not plainly inadmissible in evidence, there would be no impropriety in X offering them in evidence, notwithstanding the manner in which they were obtained, which this Committee deems clearly unethical. (See Canon 22 of the Canons of Professional Ethics.)

NUMBER 625 OCTOBER 7, 1942

Question. A, by his attorney, X, brought a slander action against B. Y, another attorney, representing that he was acting only as a friend of both

1 Copies Received
Date May 6, 1977
Firm White & Sons
By Vincent Gifford